

T H E.
H I S T O R Y
O F T H E
State and Sufferings
O F T H E
Church of SCOTLAND,
F R O M T H E
R E S T O R A T I O N
T O T H E
R E V O L U T I O N.

With an INTRODUCTION, containing the most remarkable OCCURRENCES relating to that CHURCH, from the REFORMATION to the RESTORATION.

The SECOND EDITION corrected, with ADDITIONS.

By WILLIAM CROOKSHANK, A. M. Minister of the Scots Congregation in Swallow-Street, Westminster.

In TWO VOLUMES.

VOL. II.

EDINBURGH,

Printed for Andrew Stevenson Writer, and sold by him at his House in the first Story of Muschet's Land, East-Side of the Corn-Market of Edinburgh. MDCCLI.

THE HISTORY

OF THE

State and Sufferings

OF THE

Church of Scotland

FROM THE

REFORMATION



REVOLUTION

With an Introduction, containing the most remarkable events relating to the Church, from the REFORMATION to the RESTORATION.

The second Edition, corrected, with Additions.

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THE
HISTORY
OF THE
CHURCH OF SCOTLAND.

CHAP. I.

*Of the rising at Bothwel, and the attempts made against
Lauderdale.*

FROM what has been related in the former 1679.
volume, we may easily form a judgment of
the dismal State of the nation on account of
the arbitrary proceedings of those who had
the management of affairs, and the unaccount-
table severities which many innocent people endured.

The rigorous and military execution of the sanguinary laws, now in force, could not but exasperate those who were by this means robbed of their liberties and properties, and of every thing that was dear and valuable especially, as oppressions of every kind were still increasing. All legal methods of redress were cut off from the poor suffering people. What then could they do? Surely one might think, that it was incumbent upon them to fall upon some measures for getting from under the feet of their cruel oppressors: For who would chuse to continue in misery, if they could, by any lawful and justifiable method, extricate themselves from it? They were most averse to take arms, until they were forced to it in their own necessary defence. And though they were obliged to have recourse to this expedient, yet they never desired to have an opportunity of making use of it; but, being declared rebels on this account, they were constrained to persevere in it, till the fury of their persecutors

Vol. II. A drove

*Occasions
of the
rising.*

1679. drove them to the rising I am now to give an account of.

It has been already observed, That, when they found that small meetings were more exposed to danger than greater assemblies, they altered their method, and resolved to assemble in one meeting, in those places which they apprehended stood in most need of the gospel, and where they might meet together with greater safety. They who thus assembled were generally those who were averse to the *indulgence* and the accepters of it; and many came to it *armed*. The orders given to the soldiers, and the severe laws made on account of the *primate's* death, tended to increase their numbers; but the divisions occasioned by the unhappy *indulgence* were of great disadvantage to them, and at last proved their ruin. I need not here repeat what has been already said on this point.

*Resolution
of the suf-
ferers.*

When the numbers of the persecuted party were considerably augmented, Mr. Robert Hamilton, brother to the laird of Prestoun, and some others, moved that something farther might be done as a *testimony* against the iniquity of the times. Accordingly, after serious consideration and prayer, they resolved to continue to hear the gospel, notwithstanding all the dangers to which they might be exposed, and to publish to the world their testimony to the truth and cause which they owned, and against the sins and defections of the times. In consequence of this resolution the said Mr. Hamilton, Mr. Tho. Douglas one of their preachers, and about 80 armed men, were pitched upon to go to some publick place to publish their *declaration*, and burn the papers mentioned in it. They judged that the 29th of May was the most proper time for putting this in execution. Accordingly, the afternoon of that day, they came to Rutherglen, a small royal burgh two miles from Glasgow, where they extinguished the bonfires, put their resolution in practice, and affixed a copy of their *declaration* to the market-cross; the following is according to the copy thereof subjoined to the informatory vindication.

The declaration and testimony of some of the true presbyterian party in Scotland, published at Rutherglen, 29th May 1679.

*Their de-
claration
and testi-
mony.*

AS the Lord hath been pleased still to keep and preserve his interest in this land, by the *testi-
monies*

monies of some faithful witnesses from the beginning ; 1679. so, in our day, some have not been wanting, who, through the greatest hazards, have added their testimony to those who have gone before them, by suffering death, banishment, torturings, forfeitures, imprisonments, and what not, from a perfidious and cruel adversary to the church and kingdom of our Lord Jesus Christ in the land : Therefore we, owning the same interest of Christ, according to the word of the Lord, and the *national and solemn league and covenant*, desire to add our testimony to the testimonies of the worthies that have gone before us (though we be unworthy, yet hoping we are true members of the church of *Scotland*) and that against all things done prejudicial to his interest, from the beginning of the work of reformation, especially from the year 1648 to 1660. but more particularly from the said year 1660. and downwards, against the acts following. As against the act of *supremacy*, the declaration whereby our covenants were condemned ; the act for the *eversion of the established government of the church*, and for *establishing of abjured PRELACY* ; the act *rescissory* of all acts of parliaments and assemblies for establishing the government of the church according to the word ; the act of *Glasgow* putting the same in execution, whereby, at one time, were violently cast out above three hundred ministers, without any legal procedure ; likewise the act for appointing an *holy anniversary day* to be kept every 29th of *May*, for giving thanks for the setting up an *usurped power*, destroying the interest of Christ in the land, whereby the *creature* is set up to be worshipped in the room of our *great redeemer*, and a power is assumed which is proper to the LORD only ; for the appointing of ordinances in his church, as particularly the government thereof, and the keeping of holy-days, belongeth to no *prince, prelate, nor person on earth*, but only to our *Lord Redeemer*. And farther, we give our testimony against all sinful and unlawful acts, emitted and executed, published and prosecuted by them against our *covenanted reformation*. And, for confirmation of this our testimony, we do here this day, being the twenty ninth of *May* 1679. publickly and most justly burn the foresaid acts at this cross of *Rutherglen*, being the chief burgh of the *nether-ward* of *Clydesdale*, as they perfidiously and blasphemously have burnt our holy

1679. *W* holy covenants through several cities of these covenanted kingdoms. We hope none will take exception at our not subscribing this our testimony, being so solemnly given; for we are ready to do it, if necessary, and to enlarge it with all our faithful suffering brethren in the land.

Claverhouse marches against them.

When this declaration was published, Mr. Hamilton and the rest retired from *Rutherglen* towards *Evandale* and *Newmills*. This affair made a great noise both at *Glasgow* and *Edinburgh*. Mr. Graham of *Claverhouse* (afterwards viscount of *Dundee*) having unlimited powers to kill and destroy all he found in arms, came suddenly upon the town of *Hamilton* on Saturday afternoon, the 31st of May, and in that neighbourhood seized Mr. John King and about 14 others, who were not in arms, nor had any thing laid to their charge. They who escaped, and some who joined them in order to rescue Mr. King, repaired to the meeting, which they heard was to be at *Loudonhill* next day, expecting assistance from thence.

Is defeated at Drumclog.

Mean while *Claverhouse*, having likewise intelligence of that meeting, and resolving to disperse them, marched early from *Hamilton* on sabbath morning the first of June, and carried his prisoners with him bound two and two, his men driving them before them like so many sheep. Publick worship was begun by Mr. Douglass when they were informed of *Claverhouse's* approach. Wherefore all who were armed resolved to leave the meeting, face the soldiers, and, if possible, relieve the prisoners. Accordingly, about 40 horse and 150 or 200 foot came up with *Claverhouse* and his party near *Drumclog*, and after a short and close engagement defeated *Claverhouse*, and rescued the prisoners. *Claverhouse* had his horse shot under him, and narrowly escaped; above 20 of the soldiers were killed, and several taken prisoners, whom they released upon their being disarmed. The countrymen lost not above two or three. One *John Mortoun* was killed; *Thomas Weir* and *William Danziel* (which last was concerned in the bishop's death) died in a few days of their wounds.

A fruitless attempt on Glasgow.

The country people, after this action, resolved, since they could not separate without evident hazard, to keep together till they saw how matters would turn out. Mr. Hamilton marched that night to *Hamilton*, and *Claverhouse* escaped to *Glasgow*, and alarmed the soldiers there,

there. Next day Mr. *Hamilton*, and those who joined 1679. them in their march, being too much flushed with their success, marched to *Glasgow*, and entered the town about ten o'clock; but after six or eight were killed, among whom was one *Walter Paterfon* a pious youth in the parish of *Cambusnethan*, and two or three wounded, they were obliged to quit the place, and retire to *Hamilton*, where they pitched a sort of a camp.

Such was the inhumanity of the soldiers, that the dead bodies which were left in the street were for some time not permitted to be buried. Some papers say, That *Claverhouse* and some of the officers gave orders that none should bury them, but that the *butchers dogs* should be suffered to eat them. But, be that as it will, it is certain that seven dead bodies lay in the street from eleven in the forenoon till night; and when they were taken into houses to be dressed for their burial, the soldiers came and stript them of their dead clothes; nay, when they permitted them to be buried, none durst appear to perform this service but *women*, whom, notwithstanding, the soldiers attacked, and cut the palls with their swords. And when the women used their plaids for palls, the soldiers took their plaids from them. In short, they were obliged to set the coffins in the alms-house, near the high-church, where they continued till the soldiers left *Glasgow*.

Early on the third of *June* the council met, and, having received a false account of those transactions, issued a proclamation against the rebels, as they called them, wherein, after aggravating the rising, they say, That a party of disloyal persons, who had formerly tasted of royal bounty and clemency, [viz. the *finings, imprisonments, intercommuning, banishments, &c. mentioned in the former part of this history*] had come to *Rutherglen* and proclaimed their rebellious COVENANT, and had committed a great many outrages, &c. And therefore all persons in arms were charged to lay down their arms, and surrender themselves to the earl of *Linlithgow*, or any other officer or magistrate, within the space of 24 hours after the publication of this proclamation, or else to be treated as traitors, and rendered incapable of mercy [but there was no promise of pardon.] In short, all masters of families, heritors, &c. were required to be careful, lest any of their children, servants, or tenants, join the rebels, or else they were to be looked upon

1679. *as disaffected persons.* We shall relate how the soldiers improved this clause after *Bothwell*. The reader is to judge whether they who were now in arms had any encouragement to surrender. The same day they wrote to *Lauderdale* an account of these things.

Other proclamations.

Then the council issued a proclamation ordering the militia to rendezvous, and to join and act with the regular forces, under severe penalties; and another ordering all the heritors and freeholders to attend the king's host; and made all preparations they judged necessary for suppressing the rebellion, as it was termed. I shall only observe, that all, or most of the officers, named for this host, were violent persecutors of the *presbyterians*, many of whom had a warm side to *popery*, and some were professed *papists*. But to return to the affairs of the west.

Motions of the forces.

On the third of *June*, lord *Ross*, and the officers in *Glasgow*, finding that the gathering of the country people still increased, marched with the forces to *Kilsyth*, and carried with them, in carts, some of the wounded countrymen who fell into their hands, and about the sixth were joined by the earl of *Linlithgow* at *Larbermuir*; but, being falsely informed that the west-country army was 8000 strong, they wrote to the council, that it was the general sense of the officers, that his majesty should be applied to for assistance from *England*. The council required them to march to *Edinburgh*, and sent orders to the governor of *Stirling* to take special care of that city, and at the same time wrote to *Lauderdale* an account of their proceedings, and required help from *England*. On the 7th of *June* the army was cantoned about *Edinburgh*, where they continued till the 16th.

D. of Monmouth sent to Scotland.

Mean while matters were so managed at court, that the duke of *Monmouth* and *Buccleugh* was pitched upon to command an army for suppressing this insurrection. When the council received the news of this, they, on the 15th, wrote to court, and proposed that *Dalziel* might be made lieutenant-general under the duke.

The petition of MacDonal, a papist.

About the middle of this month lord *MacDonald*, a professed *papist*, and the *MacLeans*, having for some time ravaged the lands of the earl of *Argyll*, sent a petition to the council offering their service in suppressing the rebels in the west, *whose addresses*, say they, *we have rejected*, and praying that the earl of *Argyll* might be required, in the mean time, to desist, &c. The insinuation,

sinuation, that the west-country people had addressed 1679. *them*, needs no confutation; for they who opposed *prelacy* could never encourage *popery*. But it was generally believed that this army of professed *papists*, now in arms, though they *falsely* pretended *self-defence* against the earl of *Argyll*, were yet in close correspondence with, if not under *pension* to the duke of *York*, and in concert with those concerned in the *popish plot* in *England*. But if this was not the case, yet how unaccountable it was, that the council should receive a petition from the commander of this *popish party*, when all *papists* in arms were, by a late proclamation, declared to be guilty of treason, must be left with the reader; especially as it was with difficulty that they were not employed in acting against the west-country army, of whom we are now to speak.

The success they met with at *Drumclog*, and the re-*West-* tiring of the forces from *Glasgow*, gave opportunity to *country* many to join them from all quarters, considering the *army*. necessity there was to assist them in this extremity, and that themselves were liable to the same common danger from their enraged enemies. They were likewise convinced of the righteousness of the cause in which they were engaged, and that, if *they* should be made a sacrifice to the rage of their persecutors, they would be accountable for their blood did they withhold their help. From these considerations many came from *Galloway* and *Nithsdale*, from *Carrick*, *Kyle*, *Cunningham*, *Renfrew*, *Lanerk*, the *Lothians*, and *Stirling-shire*; and among them were some gentlemen of note.

The author of the *Memoirs of North-Britain*, printed *Gentle-* at *London* 1715. says, 'I know very well that insurrec- *men join* tion is represented as a riotous tumult of a few factious *them,* *enthusiasts*; but it is most certain that several gentlemen *P. 6.* of note engaged in that business, the tyranny of the *Tories* being become intolerable.' And therefore, tho' bishop *Burnet* vindicates the non-conformists from having formed any design of rebellion before this, yet he was misinformed when he says, 'That none came into *P. 472.* this attempt but those desperate intercommuned men, who were, as it were, hunted from their houses into all those extravagancies that men may fall in who wander about inflaming one another, and are heated in it with false notions of religion.' Such invidious reflections are no more than what might be expected from the pen of a *prelate*

1679. *prelate* on this subject, for I can see no extravagancies they fell into but what was the natural effect of the oppression of the managers, and there were a good many gentlemen that joined them, and many more who favoured their design.

Ministers with them. There were likeways several ministers among them, as messrs. *John Welsh, John King, John Kid, William Foster, Thomas Douglass, Samuel Arnot, John Rae, Geo. Barclay, John Semple, &c.* They never, as Mr. *Wodrow* thinks, exceeded 4000, though *Echard* would have them to be 17,000, when they were routed at *Bothwell*; but then many were but ill-armed, and it was their loss that they had not officers who understood the art of war.

Dead buried. When the king's forces left *Glasgow*, Mr. *Welsh* and several others came thither from *Carrick*, and interred the bodies of those who had been killed in the late attempt, together with the heads of the sufferers for *Pentland*. They shewed the like kindness to the heads and hands of those which had been set up at *Kilmarnock, Irwine* and *Ayr*, and were well received by the good people every where; but the divisions that broke out among them occasioned the defeat of their designs at this time.

West-country army divided. The principal thing they had in view was to publish a declaration to the world, shewing the reasons of their conduct. Mr. *Hamilton*, who took upon him the command, Mr. *Douglass* and Mr. *Cargil, &c.* were of opinion that the *indulgence* should be condemned; but this was opposed by Mr. *Welsh*, the laird of *Kaitlock*, and others: But Mr. *Hamilton* and his adherents being more numerous, the following general declaration was agreed to by the majority.

Their declaration. 'We, who are here providentially conveyed in our own defence, for preventing and removing the mistakes and misapprehensions of all, especially of those whom we wish to be and hope are friends, do declare our present purposes and endeavours to be only in vindication and defence of the true reformed religion in its profession and doctrine, as we stand obliged thereunto by our national and solemn league and covenants, and that solemn acknowledgment of sins, and engagement to duties, made and taken in the year 1648. declaring against popery, prelacy, crastianism, and all things depending thereupon.'

When

When the army increased, there were several who found fault with the last clause of the above *declaration*, because it comprehended the *indulgence*, and therefore moved that it might be taken out; they said that nothing should be in the *declaration* that had a tendency to exclude ANY *presbyterians* from joining in their assistance, especially as the *indulgence*, in its own nature disputable, had not yet been declared sinful by any general assembly, or other competent judge. On the other hand, it was argued, that the point controverted was only declared against in general terms; that *erastianism* was as expressly abjured by this church as *prelacy*; and that the *indulgence* was the fruit of *erastianism*. These debates were carried to a great length.

At another meeting Mr. *Hamilton*, and those of his sentiments, moved that they might observe a day of fasting and humiliation before they should be engaged with the enemy; but they who opposed a testimony against the *indulgence* did not relish this motion, unless such grounds of fasting should be given as they all could agree in. However, they were at this time over-ruled, and a committee was appointed, consisting of four ministers and four gentlemen, to draw up some causes of fasting and humiliation. Accordingly they referred to what was written in *The causes of God's wrath*, and then mentioned, 1. The extravagant rejoycings at the restoration. 2. The establishing of *prelacy*. 3. The neglecting of publick testimonies against that abjured *hierarchy*. 4. The sin of many in taking unlawful *bonds*. 5. The paying of unlawful *cesses*, &c. for supporting the *supremacy* and suppressing the gospel. 6. The complying with abjured *erastianism* in the matter of the *indulgence*. They who were of different sentiments from Mr. *Hamilton* would not come into those things as proper to be laid down as causes of humiliation, and so no fast was kept. And thus divisions broke this little army before they were broken by the enemy.

When the cause of their appearing and continuing in arms came to be considered at a meeting of their officers, which they called a *council of war*, Mr. *Hamilton* and his adherents were for having it stated upon the footing of the *Rutherglen declaration*; but they who favoured the *indulgence* proposed that the *king's authority* should be expressly owned, according to the 3d article of the *solemn league and covenant*. Against this it was argued,

1679. that, as they had made no declaration against him, so they must be excused, and not urged to declare positively for him, especially as he was now in a stated opposition to the interest of Christ, and had, upon the matter, declared war against his people, and all the present opposition, cruelty and persecution in Scotland, for redress of which they were now appearing, were carried on in his name. The covenants, they said, only bound them to him in the preservation and defence of the true religion, and the liberties of the kingdoms: But the king had actually overturned the true religion, set up prelacy and erastianism, ruined the covenanted work of reformation, invaded the liberties of the kingdom, persecuted to the death the asserters of both, and plainly broke the conditions of government sworn at his coronation. To this it was answered, That, in 1638. the assembly and covenanters owned the king's authority though he had declared war against them. That this method of throwing off the king's authority would obstruct the redress of their grievances, and frustrate the design of their appearance. But here the reader must observe, that Mr. Hamilton and his adherents proposed no declaration against the king's lawful authority, only would not positively mention him or his interest in the declaration: And it is certain that what they asserted, concerning the king's opposition to the true religion, &c. was fact. How far their inference was just must be left with the reader. However, they who opposed Mr. Hamilton and his adherents so far prevailed, as, on the 13th of June, to get a declaration published at Glasgow, called *The Hamilton declaration*, wherein the king's interest is expressly asserted. The reader may easily see that this little army must have laboured under great disadvantages from these divisions when the enemy was coming upon them.

As they had been for some days about Hamilton, so it will be proper to return to the king's army.

We have heard that the army under the command of the earl of Linlithgow was cantoned about Edinburgh, and on the 17th they were at Kirkhill park belonging to lord Cardross, who suffered much at this time by the soldiers.

On the 18th the duke of Buccleugh and Monmouth came to Edinburgh, and was admitted a privy-councillor. The author of the *Memoirs of North-Britain*, formerly quoted, says, 'That the Tories in England persuaded

Monmouth at
Edinburgh,
p. 7.

ed

‘ ed the king to send his grace against those unfortunate 1679:
 ‘ people, to make him odious to the *protestant* party in
 ‘ both kingdoms, who wished well to all endeavours for
 ‘ preservation of the *protestant* religion, their rights and
 ‘ privileges.’ This same day the council wrote to *Lau-*
derdale acquainting him of the duke’s arrival, and thank-
 ing his majesty for sending him.

On the 19th the duke went to the army, but marched ^{Goes to}
 slowly towards *Hamilton*. Next day he sent to the coun- ^{the army.}
 cil, complaining that their march was retarded for want
 of provisions, which were accordingly sent to him. But
 some think the reason of his grace’s slow motions was,
 because he expected some application to be made to him
 by those now in arms.

On the 20th the council received a letter from the *King’s*
 king approving of their proceedings, and requiring ^{letter.}
 that they would prosecute the rebels with fire and sword,
 and all other extremities of war. These were orders
 our managers were ready enough to obey; accordingly
 they transmitted a copy of his majesty’s letter to the
 duke, whose army then lay within two miles of the
Kirk of Shots, and was about ten thousand strong, which
 was more than twice the number of those they had to
 deal with.

There were, at this time, pains taken to dispose ^{Discords}
 those in arms to lay before the duke their grievances, ^{in the}
 with professions of loyalty to the king; but their dis- ^{west-}
 cords still increasing did a great deal of damage, for ^{country}
 the time of action approached, and their numbers de- ^{army.}
 creased before the king’s army came up. When they
 heard of *Monmouth’s* arrival, a motion was made to mo-
 del their army, and pitch upon such officers as were
 best skilled in military affairs. About this time a per-
 son unknown came into one of their meetings with a
 paper, as he said, from some ministers and others,
 which they earnestly desired all might sign. The tenor
 of it was, ‘ We the officers of the *presbyterian* army do
 hereby declare, That we have no intention or design
 to overturn the government, civil or ecclesiastical, where-
 unto we are solemnly sworn by our *national* and *solemn*
league and covenant; and that it is our judgment and
 opinion that all matters now in controversy be for-
 born and referred to be determined by their proper ju-
 dicatories, *viz.* a free and unlimited parliament, and a
 lawful

1679. lawful general assembly.' But both these proposals were dropt for a time.

A council of war.

On Saturday the 21st the officers met, when those who were not of the sentiments of Mr. *Hamilton* and his adherents were most numerous, and their debates ran higher than ever, though the king's forces were almost in view. At this meeting it was urged that all places in the army should be declared vacant, and officers harmoniously chosen, that so they might be intirely united in the time of action. Mr. *Hamilton* and those of his way of thinking declared their willingness, on condition of the right stating of the quarrel. Upon this the indulgence was again brought upon the carpet, and the dispute was carried to such a pitch, that Mr. *Hamilton*, *John Paton*, *Wil. Garmichael*, *And. Turnbull*, &c. left the meeting. They who remained chused a new preses and clerk, and entred upon business; but were unwilling to nominate officers when so many had withdrawn. However, being acquainted with *Monmouth's* willingness to receive application from them, and that being an affair which could admit of no delay, they unanimously voted a supplication to his grace, wherein, after giving a general account of their grievances, they prayed that some of their number might have liberty, under safe conduct, to come and lay before him their grievances and requests.

Petition to Monmouth.

On Sabbath the 22d the duke and his army were come to *Bothwell-muir*, and their advanced guards to *Bothwell-town*, within a quarter of a mile from the bridge. The countrymen lay encamped on the south of the river *Clyde* in *Hamilton-muir*, and had an advanced party ready to dispute the passage at *Bothwell-bridge*, if the king's army should attempt it. Early that morning Mr. *David Hume*, the laird of *Kaitloch*, and some say Mr. *John Welsh* in disguise, went to the duke with the supplication. They had easy access, and, besides the supplication, prayed, 'That they might be allowed the free exercise of religion, and to attend gospel ordinances dispensed by their own faithful *presbyterian* ministers without molestation: That a free parliament and a free general assembly, without the clogs of oaths and declarations, should be allowed to meet for settling affairs both in church and state; and that all those who now are or have been in arms should be indemnified.' The duke heard them patiently, but refused to treat with

with them till they had laid down their arms and submitted to the king's mercy. He sent them back to their friends, and ordered them to bring an answer in half an hour at farthest. In short, when the commissioners came to the army, they renewed their debates, and so no answer was returned.

The king's troops in the mean time had free liberty to plant their cannon; and lord *Livingston* began the attack on the bridge with the foot-guards. The countrymen stood their ground near an hour, and defended the bridge with much gallantry. *Hackston* of *Rathillet*, one of their commanders, shewed a good deal of bravery upon this occasion; but their ammunition failing them, and not being properly supported, they were obliged to quit the bridge, where their main strength lay. Upon this the duke ordered the whole army to pass the bridge with the cannon before them, and soon after the whole west-country army was routed.

Thus the rebellion at *Bothwell*, as it was called, was suppressed. From this I cannot but observe, that the righteousness of a cause is not to be concluded because it is not always successful. It is plain those people rose in defence of their religion and liberties. A better cause none could be engaged in, and yet they were defeated. Again, though their appearance has been called *rebellion*, yet every one, who has just sentiments of liberty and law, must view it in another light. We have observed, that the constitution of the government was overturned, perjury, violence and oppression were established, and those very people put from under the protection of the law, and exposed to bonds, imprisonments, banishments, ravages and plunderings. And though they did rise in arms, and declare against the civil and religious oppressions then established by authority, yet they never did declare against the oppressors. It is true, though several of them would not take the king's interest into the state of the quarrel, yet they did not declare against him. I shall only add, that, had they been successful, so as to have restored the civil and religious liberties of their country, all good men would have honoured their memory; and as it was they deserved to be had in great reputation. Let rebellious *Jacobites* call this rising rebellion, none who own the glorious revolution, and the protestant succession in the house of *Hanover*, can esteem it

1679. it so. The chief thing in which these patriots were to blame, was their making this attempt without some greater probability of success than for ought appears they had at that time. But as matters then stood the divisions on the *indulgence* ruined this attempt. It is certain they who were for bearing their testimony against it acted according to the principles of the *presbyterians*. Happy had it been for the nation had it never been complied with, especially by so many worthy and godly ministers.

Number
of the
slain.

Earlstoun
killed.

His son
narrowly
escapes.

There cannot be any just account given of the number of the slain, because they were murdered up and down the fields as the soldiers met them. It was reckoned 400 were killed, and 1200 surrendered prisoners on the muir, who were not only disarmed and stripped almost naked, but made to ly down flat on the ground, and not suffered to change that posture. And if any of them did so much as raise himself a little, he was shot dead in an instant. There had been a much greater slaughter had it not been for the duke, and the interest of several noblemen and gentlemen at that time with his grace. Nevertheless great were the severities used by the soldiers, of which the following are glaring instances. Mr. *William Gordon* of *Earlstoun*, having his affairs to settle, could not join the country army, but sent his son Mr. *Alexander* before, who was in the action. Mr. *William* not knowing of the disaster of the west-country army, and riding as quickly as he could to join them, was met by a party of *English* dragoons, and refusing to surrender was killed on the spot. His friends could not get him buried with the rest of his family, and therefore he lyes interred in the church-yard of *Glasserton*. A pillar was erected over his grave, but no inscription was suffered to be upon it. Mr. *Alexander Gordon*, one of the predecessors of this ancient family, entertained the disciples of the great *Wickliff*, and had a new testament in the vulgar tongue, which they used to read in meetings in the woods near *Airds*. Mr. afterwards Sir *Alexander Gordon*, the present Sir *Thomas's* father, narrowly escaped at this time, by means of one of his tenants, who, knowing him as he rode thro' *Hamilton* after the defeat, made him dismount, put his horse furniture into a dunghill, and obliged him to put on women's clothes and rock the

the cradle, by which means he was preserved. We 1679.
shall hear more of him afterwards.

Several were murdered in cold blood by the soldiers, ^{Persons murdered in cold blood.} that same day, on the road near *Hamilton*. They were going to hear sermon in the camp, not knowing that the soldiers had got over the river, particularly *James Scouller* and *Gavin Semple* in the parish of *Glasford*, *John Browning*, *Rob. Stobo*, *Wil. Hamilton*, *Rob. Steil*, *Wil. Pate* and *Arch. Dick*, all of the parish of *Evandale*, and *Rob. Finlay* in that of *Stonehouse*, though they had no arms. Next day *Arthur Inglis* in *Cambusnethan*, reading his bible in a furrow, was looked upon as a *Whig* by the soldiers, who happened to perceive him, and therefore one of them fired at a distance, but missed him. The good man looked about, and not offering to move, the soldiers came and clave him through the scull, and so dispatched him; and indeed they scarcely spared any they met with near the field of battle.

Dreadful were the consequences of this fatal action, and had it not been for *Monmouth's* lenity, they had been much greater; for some of the officers proposed to burn *Glasgow*, *Hamilton*, and the country round *Bothwell-bridge*; but the general rejected the motion with indignation. We shall hear that most of the gentlemen in the western shires were brought to inexpressible trouble. I shall only now mention the case of *Sir Thomas Stuart of Cultnesh*, son to *Sir James Stuart* late provost of *Edinburgh*. He was obliged first to abscond, and then retire to *Holland*, orders having been issued for apprehending him, though neither he nor any of his servants were there.

Dalziel's commission to be lieutenant-general came ^{Council's} down on the day of battle. The laird of *Lundin* ^{proceed-} brought the first news of the action to the council, ^{ings.} who immediately sent dispatches to *Lauderdale*, and wrote to col. *Struthers* in *Northumberland* to secure the borders, stop and imprison the rebels, and gave orders where they thought it proper to accomplish this end; but these things I omit, being no more than what might have been expected.

The prisoners taken at *Bothwell* were this day brought ^{Treat-} into *Edinburgh*, among whom was Mr. *John Kid*. In ^{ment of} their journey they were generally tyed two and two, ^{the pri-} made a gazing stock in the places through which they ^{soners.} passed, and exposed to the cruel mockings of the profane,

1679. fane, who said, *Where is now your God? Take him up now, and Mr. Welsh, who said you should win the day;* though Mr. Welsh never said any such thing. When they came to *Edinburgh*, the council ordered the magistrates to put them into the inner *Grayfriars* church-yard, with proper centinels over them, viz. 24 to guard them at night, and 8 in the day-time. The officers were to keep a list of the centinels, that, if any of the prisoners should escape, the centinels should throw the dice and answer body for body. The officers were to be accountable for the centinels, and the town of *Edinburgh* for the officers. These orders were put in execution, and the prisoners were all carried to the place appointed, except a few who were put in prison, and continued in that inclosure near five months, mostly in the open air. Here they generally stood all day, and lay all night on the cold ground, without any other accommodation; and if any of them, in the night-time, had raised their head for a little ease, the soldiers were sure to fire at them. It would be endless to recount all their hardships, and with what difficulty persons were allowed to bring them any necessary provisions; how the women were insulted and abused by the soldiers, for no man had access. It was esteemed a singular favour that some huts made of deals were set up for them a few weeks before they were brought out of this place.

Proclamation against the rebels.

On the 25th, having had an account from the general of his having sent parties in quest of the rebels, whom he looked upon as dispersed, the council ordered *Henry Ker of Graden* to search for *Turnbull of Bewly*, *Turnbull of Sandyhill*, *Henry Hall*, and *Mr. Archibald Riddel*, as being either at or accessory to the late rebellion; and next day they published a proclamation against the rebels, as they called them. Many names were inserted in this proclamation, and among others *Mr. John King*. The two brothers of the earl of *Galloway* were named in the proclamation, but the council afterwards declared those two had made it appear that they were not in the rebellion.

Ravages of the soldiers.

This proclamation made way for the soldiers to commit many cruelties up and down the country. A great many parties were dispersed through the west and south; but none were so noted for their barbarities as *Claverhouse* and those under his command. Accordingly, upon

upon any frivolous information, they attacked the 1679.
houses of those whom they pretended had been in the
rising, especially through the shire of *Ayr*, which had
suffered so much the last year by the *Highland host*.
The reader will be able to judge what distress that part
of the country was in by a few instances.

William MacLeweyand, in the parish of *Bar*, had been Mac-
at *Bothwell*; his wife got liberty to have him released Lewey-
from the *Grayfriars* church-yard; but, as they were and.
returning home, *Claverhouse* came with his troop to
this man's house, and rifled it of every thing; and
during the rest of this persecuting period they suffer-
ed many such plunderings, which I have not room to
mention. *James MacFarrow*, in the same parish, though
he was not at *Bothwell*, suffered much in the same man-
ner.

Claverhouse, marching into *Galloway* with some English Claver-
dragoons, &c. scarcely made any distinction between house's
those who had been at *Bothwell*, and others, seized all cruelties.
the horses they could find, plundered the houses, par-
ticularly in the parishes of *Carfphairn*, *Balmaclellan* and
Glencairn. In one house in *Balmaclellan* they forced a
woman before her husband, and then pillaged the house.
In the parish of *Glencairn*, in order to oblige a poor
harmless youth to tell who of his neighbours were at
Bothwell, they tyed a small cord round his head, then
fastened the two ends of it about the butt of one of
their pistols, and twisted it so hard, that the flesh was
cut round into the scull. In the same parish they
seized a poor shepherd boy, and, to force him to dis-
cover his master, fastned two cords to his thumbs, and
by these hanged him up to the roof of the house. *Mary*
Gordon of *Robertoun* suffered much by frequent quarterings
of soldiers, who took away her horses, and plundered her
house. In a short time after they returned, and carried
her and her only son *John Gordon*, a boy, to prison to-
gether, with two of her servants, who were both trans-
ported to *America*. She and her son continued some
time in hold to their great loss. Her tenants were sad-
ly oppressed for her sake. One of them, *John Sprat*,
was plundered, and fined in 20 *l.* for speaking to his
own son who had been at *Bothwell*.

Other shires were not exempted. *Francis Park*, in Francis
the parish of *Carmonnock*, had 14 soldiers quartered up- Park, &c.
on him, and was obliged to give 50 *l.* to save his house

1679. from being plundered, because he had lent his plough to a neighbour of his who had been at *Bothwell*. *George Park* in the same parish was forced to give 200 merks for harbouring his own son, who had been in the rising. *John Mitchel's* wife, in the parish of *Cathcart* near *Glasgow*, had lighted matches put between her fingers to force her to discover her husband, and, when the soldiers found they could not prevail, they rifled the house, and destroyed the provisions. I shall leave the reader to make reflections on these things.

King's
letter,

On the 4th of *July* the council wrote to the sheriffs on the south of the *Tay*, to send up exact lists of the heritors who did not attend the king's *host*, or who left it without permission. This occasioned many to suffer, as we shall relate next year. At the same time they received a letter from the king, dated the 29th of *June*, concerning the prisoners, in which his majesty was graciously pleased to require the council to examine such of them as they thought could best discover the rise and progress of the late rebellion, and what correspondence the rebels had, especially with the kingdom of *England*, and to offer them pardon upon making out their discoveries, but to put them to the torture if they refused to inform in what the council had reason to believe they knew. His majesty approved of their sending 3 or 400 of them to the plantations, and ordered the ringleaders to be prosecuted as traitors, and the rest to be set at liberty upon their enacting themselves not to take arms against the king or his authority.

and pro-
clamation.

Together with this letter a proclamation came down of the same date, of which I must give the following abstract, as this was the foundation of the third INDULGENCE. 'We having — past so many acts, in favour of the *protestant* religion, against *field-conventicles*, whereby our subjects were withdrawn from publick ordinances, in such ways as exposed them to hear *JESUITS*, or any other irregular preachers, and were at last debauched to meet *in arms* in formed rebellions — We have therefore thought fit — to recommend the vigorous execution of all our former laws — against such *rendezvouses of rebellion*. — As also, we most peremptorily command all in office under us, to prosecute, with all legal rigour, those inhuman and execrable murderers of the late archbishop of *St. Andrews*, and all such as have had accession thereto. — But we being desirous to

to reclaim all such—as have been misled by ignorance 1679.
or blind zeal,—and to convince all indifferent per-
sons that too great severity is as far from our design
as *our inclination*, have, according to the power reserved
to us by—our second parliament, suspended the ex-
ecution of all laws and acts against such as frequent *house-*
conventicles in the low countries on the south side of the
Tay only, excepting *Edinburgh* and two miles round, the
lordships of *Musselburgh* and *Dalkeith*, the cities of *St.*
Andrews, *Glasgow* and *Stirling*, and a mile round each.
—And—we hereby suspend all diligences for fines,
upon the account of *conventicles*, except such fines as
are imposed by our privy-council, and such—as were
—transacted for prior to the 29th of *May* last. But
—we hereby ordain all such as shall be suffered to
preach to have their names given in, and surety found
to our privy-council for their *peaceable* behaviour, only
one preacher being allowed to a parish, and none to be
allowed who have appeared against us in the late rebel-
lion, nor none who shall be admitted by the *unconform*
ministers in any time hereafter; assuring all those to
whom we have extended this favour, that if they, or any
of them, shall, for the future, frequent any field-con-
venticles, or disturb the peace of these our kingdoms, we
will secure our people and maintain our authority.—
This our forbearance being to continue in force only
during our royal pleasure.'

It is in this proclamation alledged, that they who fre-
quented *field-meetings* were exposed to hear *Jesuits*.
Whether this be not a most vile innuendo must be left
with the reader. Though my author says, That the fa-
vour here granted to the ministers was one of the least
clogged favours that had been granted to the presbyte-
rians since the restoration, yet I cannot but think it im-
possible for those who had the management of affairs in
this period to grant a favour *without a clog*. I shall not
therefore compare this with the former two *indulgences*,
but shall leave it with the reader, whether they who ex-
ercised their ministry, in consequence of this, did not
virtually acknowledge the wickedness of *field-conven-*
ticles, of the late appearance in arms in defence of re-
ligion and liberty, nay, and the justice of the laws then
made against their brethren. However, it was certain-
ly some favour to be excused from the rigorous execu-
tion of those wicked laws then in force, though the con-
dition

Remarks.

1679. dition of it was a burden to many tender consciences. But, such as it was, it is likely that it would not have been granted had it not been for the interest of the duke of Monmouth; and, in consequence of it, the council ordered the magistrates of *Edinburgh* to release messrs. *John Mosman, Arch. MacLean, James Forthie, Will. Kyle, Robert Fleming, Fran. Irvine, and Tho. Wilkie*, upon their engaging to live peaceably, and not to preach at *field-conventicles*. The ministers in the *Bast* were likewise sent for to be set at liberty upon the same terms.

Bond to
be sub-
scribed by
the Both-
well pri-
soners.

Memoirs
of the
church of
Scotland,
p. 202.

The
duke's in-
demnity.

The same day the council, in obedience to his majesty's letter, agreed that so many of the prisoners (except the ringleaders) as would oblige themselves *not to take arms* against the king or his authority, should be released; and ordered intimation to be made, that if they, or any of them, shall afterwards be found in arms at *field-conventicles*, they shall forfeit the benefit of the indemnity. Accordingly the following *bond* was drawn up to be subscribed by the *Bothwell* prisoners. 'I—being apprehended for being at the late *rebellion*; and whereas the lords of his majesty's privy-council, in pursuance of his majesty's command, have ordained me to be set at liberty, I enacting myself to the effect underwritten; therefore I bind, oblige and enact myself, in the books of the privy-council, that hereafter I shall not take up arms without or against his majesty or his authority. As witness my hand,' &c. It is plain that they who signed this bond acknowledged that the rising at *Bothwell* was *rebellion*, and obliged themselves against *defensive arms* for the future; and therefore it is no wonder though many stood out, and refused to accept deliverance upon terms they thought not only contradicted their principles, but also trampled upon the blood of their brethren who died in the cause.

About this time the duke of *Buccleugh* and *Monmouth* published a pardon and indemnity to all tenants and sub-tenants who had been at *Bothwell*, in case they submitted themselves against such a day. There was likewise a *bond* required of the heritors in the west-country, obliging themselves to use their utmost for securing those who did not accept of this favour. But as few of the tenants chused to venture themselves into the hands of the magistrates at that time, so the heritors chiefly concerned refused the *bond*. On the 6th the duke

duke took his leave of the council, and in two or three 1679.
days returned to *England*.

On the 11th of *July* the council received a letter ^{Lauder-}
from *Lauderdale*, signifying, 'That the king was in-^{dale's let-}
formed of an infamous libel, wrote and dispersed at *E-*
inburgh, printed and dispersed at *London*, and cried in
the streets, reflecting on the proceedings of the lords
of council and session; that the king orders a diligent
inquiry, where and by whom the copies were written
out and dispersed at *Edinburgh*, the accounts at *London*
bearing, That they were written at the chamber of
James Hay writer, who married a niece of Sir *Arch.*
Primrose. The council appointed a committee to ex-
amine into this affair, and wrote a letter of thanks to
the king for his concern for them. That the reader
may know the rise of this, he will remember that *Lau-*
derdale's administration had been blamed by many as
oppressive, and subversive of the liberties and properties
of the subject, and that several attempts had been for-
merly made in vain to get him set aside; nevertheless,
as such a brave struggle was at this time making in
England against *popery* and arbitrary power, and as
Lauderdale was as disagreeable *there* as he was to many
in *Scotland*, so several resolved to renew their attempt a-
gainst him.

Accordingly duke *Hamilton* repaired to court in the ^{Duke Ha-}
spring, and soon after was followed by the marquis of ^{milton}
Athole, Sir *John Cochran*, and others; together with ^{went to}
these two eminent lawyers, Sir *George Lockhart* and Sir ^{court.}
John Cuninghame, with an intent to renew their accu-
sations against *Lauderdale*. The king's advocate went
up on the other side. Bishop *Burnet* says he was sent
for to defend the administration. On the 29th of *May*
the commons of *England* presented another address to
the king, intreating his majesty to remove the duke of
Lauderdale from his councils and presence for ever.

When duke *Hamilton* and the rest got access to the ^{Grievan-}
king, they laid before him their grievances, which were ^{ces laid}
printed under the following title, *Some particular mat-*
ters of fact relating to the administration of affairs in ^{before the}
Scotland under the duke of Lauderdale, humbly offered to
your majesty's consideration, in obedience to your royal com-
mands. This paper exposed the ravages of the *High-*
land host; the hardships of incapacitating persons for pu-
blick trust, of which several instances were given; the
in-

1679. injustice of illegal imprisonments, the cruelty used to prisoners, the hardships many endured by unreasonable and arbitrary fines, and by placing garrisons in gentlemen's houses, &c. The curious reader may peruse the paper at large in Mr. *Wodrow*, p. 102, &c. who justly observes, that it certainly contained a material vindication of the people at *Bothwell*, who appeared in defence of religion and liberty; and adds, that, had the noblemen and gentlemen, who drew up this paper, laid many things contained in it at the door of the *prelates*, as well as that of *Lauderdale*, the representation had been more full and just. But *Sharp*, the *primum mobile*, was gone; and so the duke was charged with all. Now it was the publishing and dispersing of this paper that occasioned the letter to the council formerly mentioned. However, before the council's answer to the king's letter reached the court, his majesty allowed a conference in his own presence at *Windsor-castle* as to the matters of complaint. The debates lasted no less than eight hours, *viz.* from ten to one in the forenoon, and from four to nine in the evening on the 8th of *July*. There was to be another conference on the 13th, but duke *Hamilton* and the rest, seeing how things were like to go, desisted from making any farther attempt; for, on the 11th of *July*, the complainers found that now his majesty was resolved to stand by *Lauderdale*; and on the 13th the king sent three letters, one to the council, another to the lords of session, and a third to the lords of justiciary, approving of all their conduct; so that *Lauderdale* still stood his ground. Bishop *Burnet* says, 'The hearing came on as was proposed; and it was made out, beyond the possibility of an answer, that the giving commissions to an army to live on free quarters, in a quiet time, was against the whole constitution, as well as the express laws of that kingdom; and that it was never done but in an enemy's country, or to suppress a rebellion. They shewed likewise how unjust and illegal all the other parts of his administration were. The earls of *Essex* and *Halifax* told him that every thing was made out fully.' He farther says, That, though kings naturally love to hear prerogative magnified, yet, on this occasion, the king had nothing to say in defence of the administration. But when *May*, the master of the privy-purse, asked him, in his familiar way, what he thought now of his *Lauderdale*,

Lauder-
dale stood
his
ground.

he

he answered, as *May* himself told the doctor, That 1679. they had objected *many damned things* that he had done against them; but there was nothing objected that was against *his service*. From the whole it appears that the king was inflexible. And, as this administration had the royal countenance and approbation, the reader will not be surpris'd at the continuance and increase of injustice and oppression.

CHAP. II.

Of the execution of Mr. King, Mr. Kid, and of the five that suffered at Magus-muir; the circuit-courts; the third INDULGENCE, and other remarkable things to the end of the year.

MANY suffered unto death on account of *Bothwell*, Mr. King and Mr. Kid were the first who ^{ministers the} fell a sacrifice to the rage of the persecutors, ^{first sa-} and were the only ministers who were apprehended on ^{crifice.} this occasion. When Mr. King was taken is not cer- ^{Mr.} tainly known; only it is remarkable, that, when a ^{King ap-} party of the *English* dragoons were on horseback at ^{prehended.} *Glasgow*, one of them called for some ale, and drank to the confusion of the COVENANTS, &c. Then meeting one of his comrades at the *Stable-green Port*, who asking him whether he was going, he answered, To carry King to hell. This was on the Lord's day. But the poor wretch had not rode far, till his carbine accidentally went off and killed him on the spot. The party carried Mr. King to *Edinburgh*.

Mr. Kid was among the prisoners taken at *Bothwell*, ^{Mr. Kid} and was frequently examined by some of the council- ^{frequently} lers, particularly as to the occasion and beginning of ^{examined.} the rising, and the persons concerned in it; but they could find nothing more than has been related. And though he had been accused of being a *papish* priest, yet he gave abundant proof of his being a firm *protestant* and a good man.

Both Mr. King and Mr. Kid were before the council on the 9th of *July*. When they were examined Mr. King confessed that he was with those that rose at this time; that he remembred that *Earlstoun* younger was with them likewise, &c. but denied that he was with them when the king's forces were assaulted at *Glasgow*,
or

1679. or that he ever heard of a rising before it happened,
 or was ever upon any council with them. Mr. *Kid* confessed that he had preached in the fields, but never where there were men in arms, except in two places. They signed their confessions, which were afterwards produced as evidence against them at their trial before the justiciary.

More fa- vours to ministers. On the 12th of *July* the earl of *Queensberry* was admitted a councillor, for his zeal in promoting his majesty's service and suppressing the rebels. The same day, in a letter to *Lauderdale*, they proposed some difficulties relating to the proclamation of the 29th of *June* *, which was a modest way of asking a repeal of it, for they did not relish any favours to be shewn. However, on the 14th, a letter came by express from his majesty, at the procurement of the duke of *Monmouth*, enlarging favours to ministers, which was so very disagreeable to the managers, that the archbishop of *Glasgow* was dispatched to court, where it is likely he fell in with the duke of *York's* party; for in a little time these favours were curtailed, and about the end of the year wholly taken away. The same day Mr. *Kid* was examined before the council; and they imagining that he was not ingenuous in his answers, ordered him to be put to the torture. It seems he was more than once in the boots, and behaved with great meekness and patience.

Mr. *Kid* put to the torture.

Messrs. On the 16th Mr. *King* was examined before the justiciary; and when he signed his confession it was ordered to be inserted in the books of adjournal, to be produced as evidence against him. Mr. *Kid* appeared next day, but refusing to sign his confession, the lords subscribed it, and ordered it to be registred, as in the case of Mr. *King*.

Kinkell's sufferings. On the 18th the council granted a petition to prosecute *Alexander Hamilton* of *Kinkell*, in order to his being forfeited; and being informed that *John Cunningham* of *Bedlane*, who had been forfeited on account of *Pentland*, had been at *Bothwell*, ordered him and his sureties to be summoned before them. Mr. *Hamilton* of *Kinkell* underwent a series of trouble ever since the restoration; for he had sheltered the ejected ministers, and encouraged them to preach in his house, without hindering any that had a mind to come and hear them. This exposed him to the indignation of the *primate*, who ordered him to be summoned from the pulpit, in order

to

to excommunication. The people of *St. Andrews* being so disgusted, that a person of *Kinkell's* piety and character should be thus served, generally went out of the church. The bishop, seeing his excommunication would be treated with contempt, got him intercommunicated, which obliged him to quit his house, and undergo many hardships. Soon after that a garrison was sent to his house, by whom his lady (who was then near her time) and family were turned out of doors. The garrison continued in the house several weeks, destroyed most of the furniture, and consumed the provisions. After *Bothwell* he was taken, bound with cords, and carried to *Edinburgh*, where he remained prisoner about eight months. Though he escaped forfeiture, yet his estate was ruined. And it was after a kind of banishment for several years, that, in 1687. he returned to his own house at *Kinkell*; but, upon his setting up a meeting-house, he was brought under new troubles; for, at the instigation of the primate, *Ross*, he and Mr. *Orrock* the preacher were, by a party of soldiers, carried prisoners to *Edinburgh*, but in a little time they were set at liberty.

It was about this time that the king and council made over the moveables of those who had been at *Bothwell* to whom they thought proper, which occasioned great oppression; for the *donatars*, as they were called, who had this gift made to them, in a manner plundered all they suspected, so that few parishes in the west and south escaped this heavy oppression.

On the 19th the council wrote to *Landerdale* acquainting him that they had called the preachers, who were prisoners in *Edinburgh*, (my author thinks these were the *field-preachers*, the others being released the 4th) and offered them a *bond*, which two of them subscribed, and the rest refused, and that they had sent for the prisoners in the *Bafts* in order to make the same offer to them. Accordingly Mr. *Patrick Anderson*, Mr. *James Fraser* of *Brae*, Mr. *Thomas Hog*, Mr. *John MacGiligen*, Mr. *John MacAulay*, Mr. *Robert Ross*, Mr. *John Law*, and Mr. *William Bell*, were brought from the *Bafts* to the *tolbooth* of *Edinburgh*, where some other ministers were confined, particularly Mr. *Robert Fleming* minister at *Cambuslang*, afterwards of the *Scots* congregation at *Roterdam*. Though they were willing to find bail for their appearance when called, yet, be-

Ministers released.

1679. *W* cause they refused to oblige themselves to *live peaceably*, and *not to rise in arms* against the king, or any authorised by him, they were remanded to prison. This was contrary to the king's letter, which allowed them, either to oblige themselves as above, or find bail; but the managers insisted on the first. Mr. *William Kyle* and Mr. *Francis Irvine*, who signed the obligation, were set at liberty. However, after some time, the rest of the ministers were released upon *bond* to appear when called.

R. Hamilton released. Cardross. Mr. King, &c. petitioned. On the 22d Robert Hamilton of *Airdry*, his servant, and about 15 other prisoners, were set at liberty upon obliging themselves to *live peaceably*, &c. The same day the council had permission to release lord *Cardross* upon paying his fine. Mr. *King* and Mr. *Kid* received their indictment at this time; and, on the 24th, they petitioned the council that they might be allowed advocates to plead for them, since they were so soon to be tried for their life; accordingly Mr. *David Thoirs* and Mr. *William Monnipeny* were allowed them.

Mr. Veitch. This day Mr. *Veitch*, instead of having sentence of death passed upon him, was, in consequence of a letter from his majesty, ordered to be set at liberty, and to retire to *England*. The reason of this sudden turn was, that Mr. *Veitch*, finding that sentence of death was to be pronounced against him, prevailed with his friend Mr. *Gilbert Elliot*, afterwards one of the lords of session, to ride post to *London*. Mr. *Elliott*, not having access to *Lauderdale*, applied to the earl of *Shaftsbury* and others of his party, by whom he was advised to print Mr. *Veitch's* case, signifying his being apprehended in *England*, after near 13 years residence in that country, and sent to *Scotland* to be judged for old alledged crimes, and to give a copy of the case to each of the members of parliament. This was done. Then the king was applied to, and in a manner threatned with a parliamentary inquiry into this conduct to an *English* subject. Whereupon the king wrote the letter just now hinted; and it came within an hour before the sentence of death was to have been passed. The same day about 20 more prisoners for conventicles were set at liberty.

Linlithgow, &c. went to London. These favours were granted to put some stop to the clamours made against *Lauderdale's* administration; and it is not improbable, had not the duke of *York* come down, that there had been more of this kind shewn; however,


however, they were so far from being agreeable to the managers at *Edinburgh*, that, on the 25th of *July*, the earl of *Linlithgow* and *Claverhouse* had the council's permission to repair to *London*. They were in a few days followed by the chancellor, and great changes were about this time talked of.

Mean while the trial of Mr. *King* and Mr. *Kid* came on, and they appeared before the justiciary on the 28th. Their advocates gave in a petition in their favour, praying that the lords would allow them an exculpation, or liberty to vindicate themselves from the charge of high-treason given in against them. In order to this the petition bears, that Mr. *King's* being with the rebels did not proceed from any rebellious principles, but, being taken by *Claverhouse*, he was released by the rebels, and not suffered to go from them; so that, in fact, he was always in the quality of a prisoner; that, during the time he was with them, he not only refused to preach, but made it his business to persuade them to return to their former loyalty, and actually persuaded several to desert them; and that he only carried a sword the better to disguise himself from being taken for a preacher, but never made use of it. And as to Mr. *Kid*, that he retired from them as soon as he could, and absolutely refused to return, and intreated such of them as came in his way to lay down their arms, and throw themselves on the king's mercy. And that it was at the desire of some of the most peaceable, that, in the simplicity of his heart, he went to *Hamilton* to persuade them to obedience; so that, when *Robert Hamilton* and some of the ringleaders became enraged at his advice, as he was going home he was pursued by a party of the rebels, who threatened to kill him if he did not return; and, when taken, he got quarters and assurance of his life from the lord general, &c. And as for being present at *field-conventicles*, it was pleaded, that, if the petitioners freed themselves from the rebellion, they were secured from this by his majesty's late proclamation; and they offered to prove all the premises by unexceptionable witnesses. But no exculpation was allowed them; for, when their indictment was read, the advocate produced their confessions before the council as proofs against them; and accordingly they were brought in guilty, and condemned to be hanged at the market-cross of *Edinburgh* on *Thursday* the 14th of *August*, and their

1679

Trial of
Mr.
King and
Mr. Kid.

Their confessions
produced.

1679.  their heads and right arms to be cut off, and disposed of at the council's pleasure. The reader is to judge how far it was equitable to refuse them access to vindicate themselves as far as they were able. Interest was made for a remission, but to no purpose.

On the 31st of July, John Balmerino, Andrew Snodgrass, and about 20 others, were set at liberty, on signing a bond to live peaceably, and not to rise in arms against the king, or any commissioned by him. The same day lord Cardross was ordered by the council to be released, upon paying the sums in which he was fined. Accordingly his lordship gave bond, and got out of prison; but, being outlawed for not paying his fine, his simple and liferent escheat was fallen into the king's hands. We shall hear more of him next year.

Cardross,
etc. set at
liberty.

Prisoners
ordered to
be prosecuted.

Mean while the king signified, in a letter to the council, his detestation of the murder of the late archbishop of St. Andrews, and commanded them to prosecute 9 of those who were concerned in the late rebellion, with this additional consideration of having owned these murderers who were excepted from any indemnity; and that, if those were convicted, they should be hanged in chains in the place where the murder was committed.

Commit-
tee ap-
pointed.

Accordingly a committee was appointed, who, on the 6th of August, reported that they had ordered nine to be prosecuted as directed, had examined the prisoners in the Gray-friers church-yard, and took particular notice of those who refused to call the late rising in arms rebellion, or killing the archbishop murder, and those that refused the bond not to rise in arms hereafter, and had made up a list of 30 persons. They likewise gave it as their opinion, that, as there were other prisoners in the tolbooth of Edinburgh and Canon-gate of the same guilt and persuasion, the king's advocate or deputy should be appointed to examine them, and prosecute nine of the most guilty; and that a secret committee, consisting of three or four at most, should be ordered to give in lists of such heritors, ringleaders, and preachers, as were not yet taken, to general Daffiel, with warrants to secure their persons till they be brought to justice. They likewise moved, that the prisoners for conventicles be set at liberty, and that William Page, who had been fined in 1000 l. and Robert Blair in 2000 merks, be remitted to the treasury for a modification. All which the council approved of, and

and appointed the earl of *Moray*, the bishop of *Edinburgh*, lord *Collington*, Mr. *Maitland*, and general *Dalziel*, or any three of them, to be a committee for the said purposes.

On the 8th of *August* a considerable number of ministers met at *Edinburgh*, and agreed, ' 1. That all ministers should, in the first place, visit their own congregations where they were formerly settled, and try what access they can have to preach the gospel to them. 2. That they associate themselves into meetings, as their numbers in particular bounds and their circumstances will best allow, and take care to provide preaching to the people in the bounds of their respective meetings who are desirous of it. 3. That every minister shall be a member of the meeting within whose bounds he resides. 4. That *indulged* ministers, not indulged to the congregations they were in when laid aside, if their people, of whom they formerly had the charge, call them, return to them, and quit the places they are at present in. 5. That all who are licensed to preach be particularly taken obliged into subjection unto the meeting which licensed them, and to submit themselves to their direction.'

A meeting at Edinburgh.

Though Mr. *Wodrow* says, That the ministers of this meeting had the principles of *presbyterian* government at heart, together with the preservation of the church from any hazard from persons who should afterwards be licensed and ordained, and that, had they not been stopt by the new turn of affairs at court, the last *indulgence* would have been so managed as to have cured the divisions, and been of great service both to church and state, yet I find the reverend Mr. *MacWard*, Mr. *Brown*, &c. were of a contrary opinion; for, as they esteemed the *indulgence*, first and last, to be the product of the *supremacy*, and inconsistent with *presbyterian* principles, so they could not call this a *presbyterian* meeting, because, instead of testifying against the *indulgence*, they plainly approved of it, and virtually abandoned that *testimony* which many sealed with their blood. But these things I must leave with the reader.

Remarks.

On the 13th, at a large meeting of the council, the king's *indemnity* was ordered to be published, by the magistrates of *Edinburgh*, with great solemnity and all demonstrations of joy. At the same time a committee was appointed to consider what was farther to be done with

Indemnity ordered to be published.

1679. with the murderers of the archbishop, the case of the prisoners, and the state of the *Highlands*. This committee proposed the holding of *circuit-courts*, the better to prosecute those concerned at *Bothwell*, and the murderers of the *primate*, and moved that *James Hamilton* an apprentice, prisoner in the *Gray-friers church-yard*, be set at liberty. Accordingly,

Circuit-courts.

Porteous-rolls.

On the 14th, the proclamation for holding *circuit-courts* in *October* next was published, signifying, among other things, that they who did not lay hold on the *indemnity*, and all who were concerned in *Pentland* and at *Bothwell*, and the murderers of the archbishop, and all who supplied or corresponded with them, were to be prosecuted with rigour before them. By this proclamation the clerks of the justice-court were enjoined to have in readiness a *porteous-roll*, or a list of the names and designations of the said rebels, and of those who should be informed against, upon oath, to have been in the rebellion, or to have harboured the rebels, or the murderers of the late archbishop of *St. Andrews*, and of those who had been at *field-conventicles* since the proclamation of the 29th of *June* last; summonses were likewise ordered to be given in time to those who were to appear. In this proclamation for *circuits*, they who killed the archbishop were particularly described. All heritors and landlords, where any of the rebels lived, were commanded to apprehend and present them to the *circuit*, and, in case they fled, to remove their wives, children and servants from off their grounds (so that the innocent were to be punished with the guilty.) By this proclamation a reward of 10,000 merks was offered to those who should bring in any of the murderers of the *primate*, dead or alive; nay, the persons whom his majesty had cut off from his indemnity were to be pardoned, and have the reward besides, if they should apprehend *John Balfour* of *Kinloch*, and *David Hackstoun* of *Rathillet*, dead or alive; and, to put the greater honour on these courts, all dukes, marquises, archbishops, earls, lords spiritual and temporal, were ordered to attend. I shall only observe, that these courts were established through all the principal parts of the country, where it could be imagined any of these people were supposed to be found.

Indemnity published.

The act of *indemnity*, above mentioned, was published the same day with all the outward signs of rejoicing.

A scaf-

A scaffold was erected at the cross, and the magistrates, in their formalities, were witnesses to the proclamation. But, considering the many exceptions, it yielded very little joy to the people concerned in the rising; for, at one stroke, ministers and heritors who were concerned in the rebellion, or contributed to it, were cut off, together with those that did not come to assist the king's host. Nay, few could comply with the conditions of this famous act of grace; for they were to engage never to bear arms against the king or his authority, nor to be at any *field-conventicles*. They had no notion of *passive obedience* and *non-resistance*, though, at the same time, none shewed greater loyalty than they. But what could they do, when their liberties and lives, and, which was dearer to them than all, their religion, were in the most cruel and barbarous manner invaded? It was likewise in vain to think that these brave confessors would bind up themselves from hearing the gospel in the open fields. However, this indemnity pardoned all authors of infamous libels or pasquils, all who had misrepresented any of the king's judicatories and servants. This plainly points at duke Hamilton, &c. So that matters were come to a fine pass, when some of the chief of the nobility were ranked among those whom they reputed rebels and traitors. In short, this was like king Charles's acts of grace, good for nothing. However, the publication of it was attended with ringing of bells in the forenoon, and in the afternoon Mr. John King and Mr. John Kid were hanged, and their heads cut off upon another scaffold. One would be tempted to think the managers pitched on that day to be a day of rejoicing for a mock indemnity, when those two faithful ministers of Christ were put to death. However, though they were cut off from having a share in this indemnity, yet they died in peace, and with a joy which none of their persecutors could intermeddle with. Their last speeches are in *Naphtali*, in which they bore a faithful and honourable testimony against popery, prelacy, *erastianism*, and for the covenanted work of reformation.

Mr. Kid, when speaking of the rising at Bothwell, says, 'For personal presence with that party whom they called rebels, for my part I never judged them nor called them such. I acknowledge there were a great many there who came in the simplicity of their hearts.'

1679.

Mr. King and Mr. Kid executed.

Their testimonies.

1679. — I am as sure, on the other hand, there was a great party there, that had nothing before them but repairing of the Lord's fallen down work, and the restoring of the breach which is wide as the sea. — But for rebellion against his majesty's person or lawful authority, the Lord knows my soul abhorreth it, *name and thing*. Loyal I have been, and will every christian to be so; and I was ever of this judgment, to give to Cæsar *the things that are Cæsar's, and to God the things that are God's.* After this he declared his abhorrence of popery, with which he had been falsely accused, and concluded his testimony with these words, 'As I have lived in the faith of this, that the three kingdoms are *married lands*; so I die in the faith of it, that there will be a resurrection of his name, word, cause, *covenants*, and of all his interests therein; though I dare not determine the time when, or the manner how; but leave all these things to the infinitely wise God, who hath done, and will do all things well. O that he would return to this land again, repair our breaches, take away our backslidings, and appear for his work! — Come Lord Jesus, come quickly! himself hasten it in his own time and way! The Lord is my light and my life, my joy, my song, and my salvation. The God of his chosen be my mercy *this day*, and the enriching comforts of the Holy Ghost keep me up, and carry me fair through, to the glory of his grace, to the edification of his people, and my own eternal advantage. Amen.

Mr. King's testimony was much to the same purpose with that of his fellow-martyr. Among other things he spoke to the commendation of the cross of Christ, and concluded in this moving and affecting manner, 'Now I bid farewell to all my friends and dear relations; farewell my poor wife and child, whom I leave on the good hand of him who is better than seven husbands, and will be a father to the fatherless. Farewell all creature-comforts, and welcome everlasting life, everlasting glory, everlasting love, and everlasting praise. Bless the Lord, O my soul, and all that is within me.'

Thus these two went to their master's joy, and left their persecutors to conclude the day, with their bonfires, on account of the *notable indemnity* published in the forenoon. Their heads and right hands were cut off and placed beside that of Mr. Guthrie on the *Nether-bow* port.

On this dismal day the council wrote to *Lauderdale*, 1679. desiring that a frigate might be sent down in order to transport the prisoners in the *Gray-friers* church-yard. They likewise ordered the ministers, who were prisoners in *Edinburgh*, (those, viz. that refused their bond) to be released, on finding sufficient bail to appear when called, under the penalty of 10,000 merks each.

Next day, the 15th of *August*, the king wrote to the council, and ordered the following persons to be criminally prosecuted. The reason was, that, upon examination of some of the prisoners, several did not own the rising of *Bothwell* to be rebellion, nor the killing of the primate to be murder. And we shall afterwards find that several were executed on this very account, when nothing else could be laid to their charge. The persons, who had been called and examined, were *James Lileburn* in *Kinross*, refused the bond, N M; *David Hardie* in *Lefly* refused the bond, N R, N M; *Rob. Bogie* in *Newbigging*, N R, N M; *John Richardson* in *Stenhouse* refused the bond, N R; *Rob. MacGill* weaver in *Gallowshiels*, N M; *Dav. Somerwel* in *East-Calder* refused the bond, N R, N M; *Alex. Steven* in *Bothwell* parish, N R, N M; *Tho. Williamson* in *Overcranstoun*, N R, N M; *John Scot* in *Ettrick*, N R, N M; *Will. Cameron* in *Dalmellington*, N R, N M; *Rob. Miller* in *Waterford*, N R, N M; *Jam. Wood* in *Newmills*, N R, N M; *John Govan* in *Kirklistoun*, N R, N M; *Tho. Pringle* in *Stow* parish, N R, N M; *And. Sword* in the parish of *Borg* in the stewartry of *Kirkcudbright*, N R, N M; *Jam. Gray* in *West-Calder*, N R, N M; *John Thomson* in *Shots*, N M; *John Waddel* in ditto, N M; *Patr. Keir* in the parish of *Kincardin*, N R, N M; *Thomas Brown* in *Edinburgh*, N R, N M; *Will. Anderson* in *Livingstone* parish, N R, N M.

N. B. The names marked N R are those who would not acknowledge the rising to be rebellion, and those marked N M who would not own the primate's death to be murder.

About this time 15 of the prisoners in the *Gray-friers* church-yard, whom they looked upon as the ring-leaders, were brought to the tolbooth of *Edinburgh* in order to be tried for their life. Mr. *Edward Jamison* was sent to them from the meeting of ministers formerly mentioned; tho' Mr. *Wodrow* says he found no evidence that he was sent by them, yet he owns he went and reasoned with them at a considerable length, in order

1679. der to persuade them to subscribe the *bond*. He urged the lawfulness of this expedient to save their lives, and endeavoured to make them sensible that their refusal would be a reflection on religion, and the cause they appeared for, and throwing away their lives, for which their friends would not be able to vindicate them. He prevailed with 13 of them, who were set at liberty. But this compliance lay heavy on several of them. Most of the prisoners in the church-yard, by the solicitations of their friends, and the advices of some ministers, particularly, as is said, of Mr. *Hugh Kennedy*, Mr. *William Creighton*, Mr. *Edward Jamison*, and Mr. *Geo. Johnston*, signed the *bond*, while others refused to accept deliverance upon *such terms* as were inconsistent with their principles. The reverend Mr. *John Blackadder*, being at this time in *Edinburgh*, was very serviceable to these prisoners, and in a particular manner dissuaded them from complying with the *bond*. What came of those who refused this compliance we shall hear in its proper place; only, several who did comply shared the same fate with those *who did not*.

Nine indicted.

On the 26th of *August*, *Will. Richardson* in *Stenhouse*, *Tho. Brown* shoe-maker in *Edinburgh*, *John* and *Alex. Balfours* in *Gilstoun*, *Tho. Williamson* in *Over-Waristoun*, *Rob. MacGill* in *Gallasbiels*, *Rob. Miller* in *Waterfoot*, *Jam. Paton* in *Inverkeithing*, and *Andrew Thompson* in *Sauchy*, were indicted for treason in joining with those at *Bothwell*; but it was the month of *November* before any of them were brought to trial, mean while several were appointed to plead for them. The same day Mr. *And. Donaldson*, Mr. ——— *Erskine*, and *John Henderson* in *Cleish*, who had been confined for *conventicles*, and had been forgot when others obtained their liberty, were released.

New

powers to the army.

On the 19th of *September* the council wrote to *Lauderdale* for liberty to the justices to offer the *bond*, which was granted. At the same time new powers were given to the army to seize the murderers of the archbishop, to apprehend any ministers or heritors guilty of the late rebellion, or others of the rebels who had not signed the *bond*, or any who harboured them, and secure them in prison, with power likewise to dissipate *field-conventicles*, and apprehend the preachers and others present at them, and indemnified the soldiers of all slaughter and mutilation in case of resistance. They likewise order-
ed

ed the rents, money and moveables belonging to the 1679. murderers of the primate, and the heritors engaged in the rebellion, to be sequestrated; and enjoined the advocate to prosecute Mr. *Geo. Johnstoun*, or any other ministers who have been guilty of *field-conventicles* since the 29th of *June* last, with power to major *Robert Johnstoun* to search for any suspected conventicles in or about *Edinburgh*, &c.

On the same 19th of *September* they agreed upon the *Licence*. following *licence* to be given to those ministers who had liberty to preach: 'The lords of his majesty's privy-council, having considered the petition of —, representing that they have chosen — to preach and administrate the sacraments in the parish of — conform to his majesty's proclamation *June* 29th, and his letter *July* 11th, and therefore desiring that caution may be received for the said — conform to the said proclamation. The lords grant the supplicants desire, who have accordingly found sufficient caution acted in the books of privy-council for the said — that he shall live peaceably, and in order thereto, that the said — shall appear before the council, when the said cautioners shall be called to produce him, under the penalty of six thousand merks in case of failie.'

The following bond was likeways to be given for the *Bond*. said minister: 'Be it kend to all men, by these presents, me — for as much as, upon a humble supplication given in to his majesty's privy-council, they have ordained caution to be received for — who is allowed to preach and administrate sacraments in the parish of —, therefore I bind and oblige myself, my heirs and successors, that the said — shall live peaceably; and in order thereunto, that I the said — oblige myself and forefaids to present him before his majesty's privy-council when I am called so to do; and in case of my failie in not presenting him, I shall be liable in the payment of the sum of six thousand merks *Scots* money. Consenting, &c.' in common form.

It was on account of these *bonds* that some have called this the *BANDED indulgence*. At a meeting of ministers, about the end of this month, the most part judged it lawful at this time to comply; but I find them condemned by others, who thought that, by coming under these *bonds*, they condemned themselves as guilty of former *unpeaceableness*, and engaged in a *sinful peace* with

1679. with the enemies of God, and became bound and fettered, by these *bonds*, from bearing a testimony against the defections of the times, and the encroachments made both upon civil and sacred liberty †. But these things I must leave with the reader. We shall find that this third *indulgence* was but of short continuance.

On

† Some time after this a pamphlet was published, intitled, *The BANDERS DISBANDED*; in which the author, said to be Mr. *Mac-Ward*, endeavours to prove, that it was sinful, scandalous and inconvenient to comply with these bonds. It will not therefore be improper to give the reader a short view of some part of his reasoning on this subject. Having accordingly laid down sundry positions concerning the reformed government of the church of *Scotland*, and shewn the many engagements that lay upon the nation, by the *covenants*, to maintain and defend the same, together with the manifold encroachments and invasions made by the civil magistrate upon the royal prerogatives of Christ, the intrinsic privileges of his church, and the just freedom of his ambassadors, by introducing *prelacy*, and persecuting non-conformists, &c. and taken notice of the faithful wrestlings and contendings of our worthy predecessors in defence of their sacred liberties, from thence he infers, that the very name and notion of any *bond* and engagement, required by the *then* rulers as a condition of admitting ministers to the exercise of their ministry, was odious and detestable at the first view, especially to engage in such a bond as then required, and most of all that a body of ministers should *vote* this to be lawful and warrantable. And,

1. He produces several arguments to prove the sinfulness of giving such bonds, because the cautioner, or surety, by this bond, obliges himself to perform an impossibility; for however he might engage for himself, yet he could not engage for another, whom he could neither constrain by force, nor command by authority. He farther shews, that whoever engages in this bond, thereby acknowledges the civil magistrate to be the fountain of all ecclesiastical authority, without any regard either to the rights of the people, or the just authority of the church-judicatories. He likewise observes, that this bond may be interpreted contrary to former lawful bonds and covenants, and so cannot be entered into without sin. Besides, he that engages in this bond, binding himself to pay 6000 merks in case he fail, or don't present the minister to the council when called, to be active in persecuting and punishing himself for that which is not his own fault. From these and several other considerations he infers, that these bonds could not be entered into without sin. But,

2. This author asserts it to be scandalous to enter into these engagements, because the bond presupposes the faithful ministers of the gospel to have formerly been of a turbulent and rebellious disposition, and therefore were not now to be trusted, but others were to be taken engaged as sureties for their peaceable carriage and behaviour; and therefore, as this has a natural tendency to put a disgrace upon ministers, so also to bring their ministry into contempt: For what respect can any have for the ministry of those who are looked upon as so infamous as not fit to be trusted? The author, after insisting on several other arguments shewing the scandalousness of these bonds, proceeds,

On the 20th of September another proclamation was 1679 issued against the murderers of the archbishop, with their names inserted, viz. *John Balfour of Kinloch, David Hackstoun of Rathillet, George Balfour in Gilstoun, James Ruffel in Kettle, Robert Dingwal a tenant's son in Cadam, Andrew Guilan weaver in Balmerinloch, Alexander and Andrew Henderfons sons to John Henderson in Kilbrachmont, and George Fleming son to George Fleming in Balbuthy.* Such ministers and heritors who were in what they called the late rebellion, and any that had harboured any of the murderers, or rebels, were put into the proclamation; at the end of which all magistrates of royal burghs were ordered to take the declaration by next Michaelmas.

The same day Mr. *William Erskine*, who had been Mr. prisoner in *Stirling* above three years, was ordered to be set at liberty. And though Mr. *James Rymer*, late Mr. professor of philosophy at *St. Andrews*, was found innocent of harbouring any of the murderers of the primate, yet he was ordered to give another bond, under the penalty of 10,000 merks, to appear before the judiciary when called.

According to the order of time we are now come to speak of the circuit-courts, which were appointed to sit down on the first of *October*, &c. A distinct account of their proceedings is not to be expected, as their records, if they kept any, are not to be found. According to the proclamation, the clerks, or their deputies, before the meeting of the circuits, went through every parish in the precinct of the court, and took up informations as directed; and not only the sheriffs, and justices of the peace, but also the curates, exerted themselves to the utmost to get informations.

From

3. To shew the manifold inconveniencies of coming under the obligations of them. By this, he says, the minister is brought into a great strait, either to conceal some part of the whole counsel of God, or, by preaching up his presbyterial principles, to expose himself either to lose his liberty, or be otherways punished. By this the surety is obliged either to persecute the minister, if he should, in his apprehension, speak any thing that ought not to be spoken, by presenting him to the council, or be obliged to pay the penalty if able, and, if not, to suffer other hardships. By this also, not only the surety himself, but his heirs and successors are involved with him: From these, and many other topicks, this author infers the inconveniency of these bonds; How far his arguments are conclusive must be left with the reader, who will still be a better judge in this particular if he carefully examine the pamphlet itself.

1679. From these informations the *porteous rolls* were framed. These rolls were filled up with all sorts of persons who had any substance, whether they had been at *Bothwell* or not. The most innocent were informed against by any envious neighbour, or base prodigal, and, when once in those rolls, the greedy *donatars* obliged them to compound for their moveables, or seized them, even before any indictment or sentence. Many were the oppressions and hardships which numbers endured upon this score.

Oppressions. When the lords of the *circuit* sat down in the places assigned them, great numbers were before them, especially at *Glasgow*, *Ayr* and *Dumfries*. They who appeared, and confessed they had been at *Bothwell*, if they were not *heritors*, had the bond offered them. They who appeared, and desired their indictment, were imprisoned till they found bail to appear at *Edinburgh*, and answer to the things that should be laid to their charge: But all who did not appear were declared fugitives, and denounced rebels. The absent *heritors* (for very few of them appeared) were denounced, and not a few soon after were forfeited. Noblemen, gentlemen, soldiers, and others, who were most active in the arbitrary measures of this period, obtained gifts of their estates, and several kept possession of them till the happy revolution; and they who had no heritage had their houses and goods spoiled by the soldiers. These were the happy effects of these *itinerary courts*! We shall hear more of them in the following years.

Preparations for the D. of York. On the 16th of *October*, the council, being informed that the duke of *York* was coming to *Scotland*, wrote to the absent members to repair with all speed to *Edinburgh*, since they intended to meet his royal highness on the borders. All noblemen and gentlemen in the neighbourhood were ordered to attend them on this occasion; and Mr. *Maitland* of *Dudhop* was sent to wait on the duke in *England*.

Occasions of his coming to Scotland. Rapin. About the end of *August* last, the king being at *Wind-* for was seized with three violent fits of an intermitting fever. The fits were so long and severe that the physicians apprehended he was in danger. The earl of *Essex* and lord *Halifax*, two of the four councillors who then managed the king's affairs, fearing, if the king died, to fall into the hands of the duke of *Monmouth* and earl of *Shaftsbury*, advised the king to send for

for the duke of *York*, which was done with all secrecy and speed; for the duke arrived at *Windsor* on the second of *September*. But the king, being then out of danger, pretended a surprise at his arrival: And, when he was recovered, it was moved that the duke should return beyond sea. This was contrary to the inclinations of his highness; but, finding his brother positive, he moved that the duke of *Monmouth* might be put out of all command, and sent abroad. This was complied with. Both dukes went beyond sea. But, says bishop *Burnet*, lord *Tweeddale*, being then at *London*, moved the lord *Peterborough*, that it would be more honourable, and more for the duke's interest, instead of living beyond sea, to go and live in *Scotland*; his motive was, that, since the duke of *Monmouth* had lost all credit with the king, duke *Lauderdale* would again be continued in his posts, and act over his former extravagancies; he judged, that, upon the duke of *York*'s being in *Scotland*, *Lauderdale* would be chequed. *Peterborough* went immediately to the king, who approved of it. So notice was given to the duke, and he was appointed to meet the king at *Newmarket*. The duke met the king accordingly; upon which *Shaftsbury* was soon turned out, and lord *Roberts*, then made earl of *Radnor*, became president of the council. There were several other alterations; and the king became entirely under the management of his brother. Besides all this, his highness, perceiving a storm gathering against him in *England*, was willing to retire till that was a little abated. However, the reader may see that the ministry in *Scotland* had early notice of these proceedings; for the council had a letter from the king on the 18th of *September*, signifying that he had recalled the commission of the duke of *Buccleugh* and *Monmouth* from being general; and on the 16th of *October* they began to prepare for the reception of his royal highness, whose presence very much strengthened the violent party in the council, and promoted the severe measures of the prelates against the *presbyterians*, who could expect no favour from popery and papists.

By a letter from the king, dated *November* the 1st, general *Dalziel* received an unlimited commission, except in emergencies of state, when the council were allowed to give directions; and the officers and soldiers had orders

1679.

p. 477.

Dalziel's
commission

1679. ders to search for and apprehend those who were declared fugitives and rebels by the justiciary.

Non-attendants
on the
king's host
prosecuted.

When the managers found that what would arise, from the estates of those who had been personally concerned in the rising, would not answer their expectation, a more general oppression was resolved upon. Accordingly, on the sixth of November, a committee was appointed to meet with the lords of justiciary to consider what was to be done with those who did not attend the king's host. Accordingly, on the 8th, they gave it as their opinion that they should be fined, the most guilty not above two year's valued rent, and the least in the fourth part of their rent, and be obliged to take the oath of *allegiance* and the *declaration*; but, if they refused this last, to be fined in the highest degree. This was approved of, first by the council, and afterwards by the king; and measures were taken for getting lists of all those gentlemen they intended to prosecute on this point.

Prisoners
indicted.

The same day the council ordered about 30 of the prisoners in the tolbooth of *Edinburgh*, who had refused the bond, to be prosecuted before the criminal court. Accordingly, on the 10th, *James Finlay*, *Tho. Brown*, *J. Wood* in *Newmills*, *Andrew Sword* weaver in the stewartry of *Kirkcudbright*, *John Waddel* in *New-Monkland*, *J. Clyde* in *Kilbryde*, with several others, were before the justiciary. In their indictment they were charged with entering into a deep combination to overturn the fundamental laws both of church and state, professing that they would have a parliament of their own framing, without either bishops or noblemen, [*all this was false*] with burning his majesty's laws at *Rutherglen*; declaring his majesty an usurper, [*false*] and that he had robbed Jesus Christ of his crown, because he would not acknowledge them and their ministers to be Christ's infallible vicegerents, and to be superior to him in his own kingdom, [*false and slanderous; no such thing ever entered their thoughts*] that, when they engaged his majesty's forces, they gave for their word, *No quarter*; and that they refused it to all universally who fought for his majesty; [*false*] that they joined with the murderers of the archbishop, as their emissaries, [*still false*] and assembled an army of 10 or 12,000 men; [*they never were half the number*] that at *Glasgow* they robbed and spoiled the king's subjects, opened the prison-doors, and

and threw out of the graves the dead bodies of such children as belonged to the orthodox clergy. [false] In short, their indictment was stuffed with falsehoods, and embellished with lies. The truth is, the prisoners favoured the rising at *Bothwell*, though only some of them were personally there, and one without arms too. However, it was thought necessary to aggravate their rising to the utmost. My author justly observes, that, as the publick papers of this period were generally so full of lies and slanders, it was no wonder though the *English* historians were led into mistakes when treating on the affairs of *Scotland*, especially considering the many lying pamphlets that were published by the *Jacobites* after the revolution.

The same day *John Brown* of *Drumsarhan*, *James Five con-*
Clow in *Balloch*, and *John Stevenson* in *Waterside*, and *demmed.*
eight others, were indicted for harbouring the murderers of the archbishop; but it seems the process was dropt; whereas five of the prisoners that had been indicted for the affair of *Bothwell*, viz. *Thomas Brown*, *John Waddel*, *Andrew Sword*, *James Wood* and *John Clyde*, were marked out for ruin; and, upon confessing their being at *Bothwell*, and refusing the bond, were condemned to be executed at *Magus-muir* on the 18th instant, and to be hanged in chains, as if they had been the persons that killed the *primate*, though they were no ways accessory to it. However, it seems, that, for some reasons, their execution was put off to the 25th. And tho' the jury brought in *James Wood* as being taken at *Bothwell* without arms, yet the judges made no difference.

November the 13th, the magistrates of *Linlithgow*, *Meeting-*
Innerkeithing and *Kirkaldy*, had orders to suppress the *houses sup-*
meeting-houses there; and a proclamation was published *pressed.*
against *conventicles*, discharging all to preach, or hear sermons, in any parish which had not given bond to the council, under severe penalties. And the same day, by another proclamation, the common people engaged in *Bothwell* were ordered, by the first of *January* next, to come and sign the bond, and satisfy the lords of justiciary why they had so long delayed it. There is no occasion for any remarks on these things.

On the 15th, 257 of the prisoners in the *Gray-friers Prisoners*
church-yard were put aboard a ship lying in the road *put a-*
of *Leith*, before any of their friends knew of it; and, *board.*

1679. though 30 were dangerously ill of a flux and other distempers, yet they were hurried away with the rest. *Their hardships.* They continued 12 days aboard before the ship sailed, and suffered inexpressible barbarity in the ship. They were so closely pinned up together, that they had scarce room to move. Their friends were neither permitted to see them, nor minister to their necessities. Some of them were forced to drink their own urine to quench their thirst; and some of the wicked sailors threw their excrements in their faces; and though a large collection, amounting, as was reported, to 14,000 merks, was made for them, yet little of it came to their hands; and indeed few of them lived long to want it, as we shall hear.

Duke of York's reception at Edinburgh.

On the 24th his royal highness the duke of York was received into the town of *Edinburgh* with great solemnity, and was sumptuously entertained by the magistrates and the nobility. And thus the managers in *Scotland* caressed the great promoter and supporter of *popery* and *tyranny*, while many brave patriots in *England* were endeavouring his *exclusion*, as the only means to preserve the *protestant religion* and the liberties of the subject.

Next day the five prisoners above mentioned were executed at *Magus-muir*; and nothing could be more proper, after the arrival and splendid reception of a *popish* prince, than to gratify him by cutting off some of the worst of hereticks. The joint and separate testimonies of these sufferers are in *Naphtali*, to which I refer the reader, who will there find the reasons why they could not take the *bond* to save their lives, &c.

Thomas Brown.

Thomas Brown was the first that was executed. He declared that he was never before in that country, and so was noways accessory to the bishop's death; and added, 'As for my part in rising in arms, I intended *no rebellion*, but was then with that party in defence of the gospel, which I judged my duty.'—After he had prayed, 'he blessed the Lord, that, if this day every hair of his head was a man, and every drop of his blood a life, he would cordially and heartily lay them down for Christ and his cause, for which he was now sentenced.'

Andrew Sword.

Andrew Sword sung the 34th *psalm*, and declared that he was never in that place before, and never saw a bishop, that he knew to be so. He blessed God for being

ing kept from taking the ensnaring *bond*; and, having 1679. bid farewel to all created comforts, prayed before he died.

James Wood said the same as to the bishop's death, James and was so far from repenting his being at *Bothwell*, or Wood. refusing the *bond*, that he gloried in it. When he was almost at the top of the ladder, he pulled up the napkin, and said, 'Now I am going to lay down this life, and to step out of time into eternity; and if I had as many lives as there are hairs in mine head, and drops of blood in my body, I would willingly lay them down for Christ, and for you all that are here upon Christ's account. You may think that this is a frothy word, but it is the word of a dying man.' He then recommended Christ and his cause, in a moving way, to the spectators.

John Waddel declared his innocence as to the bishop's John death, being never in that country before. He said Waddel. that he refused to take the *bond*, because it was a denying of all appearances for Christ and his cause. He bore his testimony against *popery*, *prelacy*, *malignancy*, the *indulgence* first and last, and the abominable *cess*. Before he went to prayer, he said, 'Now, Sirs, I am not a whit discouraged to see my three brethren hanging before mine eyes, nor before all this multitude to pray.'

After *John Clyde* had gone to the ladder, he said, 'I John think our being fetched here is like that which we have Clyde. in scripture, about *Herodias's* suit to *Herod* anent *John the baptist's* head, to gratify the unsatiableness of that lewd woman. Nothing would satisfy the lust of our persecutors but our blood, and in this manner and place, to gratify the bishop's friends. 'He vindicated his joining, those at *Bothwell*, and his refusing the *bond*, as the others had done before him. At the ladder-foot he said to his brother, 'Weep not for me, brother, but weep for yourself and the poor land; and seek God, and make him sure to yourself, and he shall be better to you than ten brethren. Now, farewel all friends and relations; farewel brother, sister and mother, and welcome Lord Jesus; into thy hands I commit my spirit.' And lifting his napkin from his face, he said, 'Dear friends, be not discouraged because of the cross, nor at this ye have seen this day; for I hope you have seen no discouragement in me, and you shall see no more.'

They

1679. They were hung in chains according to the sentence, but now ly buried in a corn-field near *Magus-muir*, with a grave-stone upon them, which was set up in *October 1728.* with an inscription, which the reader may see in the last edition of the *Cloud of witnesses.*

p. 204.
Prisoners
lost.

Memoirs
of the
church
of Scot-
land,
p. 204.

On the 27th the ship sailed from the road of *Leith* with the poor prisoners, and met with several storms in her passage. On the 10th they got to *Orkney* in a very tempestuous sea. The prisoners, fearing what happened, desired to be set ashore, and sent to what prison the master pleased. But the captain, who was a *papist*, confined them under the hatches. About ten at night the ship was drove from her anchor upon a rock, and broke in the middle. The sailors quickly got down the mast, and, laying it between the broken ship and the rock, got ashore; but such was their barbarity, that no intreaties of the poor men could prevail with them to open the hatches, though, had that been done, most of them had been saved; whereas all of them were drowned in the hold, except only that an honest seaman, being struck with horror at this cruelty, ventured his life to go aboard, and with an ax cutting through the deck of the vessel, got 49 or 50 of them out alive; and so 200 were drowned, or rather murdered. 'After this piece of cruelty, says the author of the *memoirs*, I think I need make no apology for saying, that the reign of *Dioclesian*, or any of the most cruel persecutors of God's church, could not match this; for these were men delivered, men to whom life was granted,' according to the king's letter, dated 29th *June*, and the indemnity afterwards; and consequently the perpetrators of this villany ought to have been punished by death. But no notice was taken of it. And if it be true, as was reported, that it was not possible that the ship in which these prisoners were to be sent to *America* could contain provisions sufficient for such a number for so long a voyage, I leave the reader to make his own reflections.

Duke of
York ad-
mitted a
councillor
without
the oaths.

Mean while a letter came down from the king, dated the 30th of *November*, ordering the duke of *York* to be admitted to act as a privy-councillor in *Scotland* without taking the oaths; to which our obsequious managers readily complied, his majesty alledging that this was the privilege of the lawful sons and brothers of the king.

About

About this time *John lord Bargeny*, nephew to the 1679. duke of *Hamilton*, being suspected to favour those concerned at *Bothwell*, was imprisoned in *Blackness*. Tho' Lord Bargeny was examined by a committee, yet nothing was recorded; and, after all the attempts they made to fasten guilt upon him, they were forced to drop the affair. ^{imprisoned.}

On the 18th of *December* the council ordered *Alex. State of* and *James Balfours*, with *James Ness*, to be farther examined concerning the *primate's* death, and *Robert Gar-nock* smith in *Stirling* to ly in prison for farther examination. Some were released, as *John Henderson*, an old man, who had been imprisoned for harbouring his sons after they had been at what they called the murder. *Hen. Schaw* and *Rob. Blaw*, *Geo. Fleming* and—*Sterk* were continued in prison on suspicion of accession to the death of *Sharp*.

C H A P. III.

Of the sufferings of gentlemen for not attending the king's host; the repeal of the third indulgence; the Queens-ferry paper; the Sanquhar declaration, and other things to the skirwish at Airlmoss.

THE affair of *Bothwell* was improved by the ma-1680. nagers as a sufficient handle for oppressing all ranks of people who could not in conscience conform to *prelacy*; for not only the heritors and gentlemen who were suspected to have countenanced the rising, but those who did not attend the king's host, were rigorously prosecuted, together with several others, for nothing but their non-conformity. They who did not appear before the *circuit-courts* were declared *fugitives*, and the donatars were most severe upon the houses and possessions of those who were declared *fugitives*; and, in some places, the enemies of the *presbyterians* discovered what spirit they were of, when they could act without controul. Thus, from the year 1680 to 1687. no family was permitted to live in the town of *Dundee*, but such as constantly heard the *episcopal* ministers. And this year *Will. Mitchel*, *John Davidson*, *John Ster-rock*, *Eliz. White*, and several more, were forced to leave the town on this very account. But I shall, as briefly as possible, relate the proceedings in the order of time.

Accor-

1680. Accordingly, on the 6th of *January*, the council gave full power and commission to the earl of *Glencairn*, lord *Ross*, general *Dalziel*, or any fit person in the army, to discover the heritors who were at *Bothwell*, in the shires of *Ayr*, *Lanerk*, *Renfrew* and *Dumbarton*; and likeways to the earl of *Queensberry*, Sir *Robert Dalziel* of *Glena*, *Claverhouse*, or any two of them, and such as they should appoint, for the shires of *Dumfries* and *Wigtoun*, the stewartry of *Kirkcudbright* and *Annan-dale*. There were the like commissions given to others for other shires, and doubtless the commissioners acted their part.

Lord Barga-
geny.

On the 14th of *January* the council, in consequence of a petition from *John lord Bargeny*, ordered him to be brought from *Blackness* to the castle of *Edinburgh* whenever the advocate should have his indictment ready. And,

Earl of
Monteith im-
powered.

On the 29th they impowered the earl of *Monteith* to dissipate the conventicles in that shire, and apprehend and imprison the preachers, in order to their being brought to trial.

Lord Card-
rofs's
petition,
&c.

On the 15th of *February* lord *Cardrofs* presented a petition to the king, praying that his simple and liferent escheat might be granted to the earl of *Mar*. With his petition he presented a paper, intituled, *A short account of his sufferings*. The duke of *Lauderdale* had procured a gift of this for his nephew Mr. *Maitland*; and when his lordship's representation had like to have some weight, a copy of it was transmitted to the privy-council, that they might interpose and prevent the king's granting his petition. Accordingly they wrote to his majesty, and represented *Cardrofs* as disaffected, &c. so that he obtained no redress, but continued under hardships till the revolution.

English
liturgy ap-
proved in
families.

Mean while, on the 12th of *February*, the council granted liberty to such as had a mind to use the *English* liturgy in their families, but very few were now tempted with this novelty, I shall only observe, that, while the council were paving the way for the introduction of the liturgy and ceremonies in *Scotland*, there was a brave set of patriots in *England* who began at this time to talk of reforming it there. And it is certain that the *Scots episcopal* clergy never received the service-book, till the interest of a POPISH PRETENDER came to be promoted in the reign of queen ANNE.

On the 15th of February, the duke of York took his leave of the council, and on the 17th set out for court, where he appeared on the 24th, and was received with great pomp and satisfaction by the king. The council at Edinburgh wrote up a letter full of the highest encomiums on his royal highness. 1680. Duke of York returned to court.

On the 18th many heritors were forfeited, mostly in absence, for their pretended accession to the rebellion. The witnesses brought against them were generally spies and soldiers. Mr. Will. Fergusson of Kaitloch, the lairds of Earlstoun elder and younger, James Gordon younger of Craichlaw, Will. Gordon of Culvennan, Patr. Dunbar of Macbrimmoir, and — MacGhie of Larg, were all called, and, the prepared witnesses swearing to their being concerned in the rebellion, were forfeited. The reader is to observe, that the laird of Earlstoun was killed when going to join the west-country army. On this same day, Patr. MacDonald of Freugh was called, and, two witnesses swearing that they saw him among the rebels, was sentenced to be executed when taken, and all his goods, &c. to be confiscated. Heritors forfeited.

On the 23d a great number of gentlemen were brought before the justiciary for absence from the host, and were fined, particularly James Young of Kirkcaldy in 1870 l. — Pitlochrie 700 l. Alexander Durham of Largo 1850 l. Dav. Balcanquhal 500 l. Alex. Nairn of Samford 294 l. Geo. Moncrief of Redie 300 l. James Weems in Glencorston 175 l. Scots money, with many more. This was the practice of other meetings of the justiciary, by whom not a few were fined in thousands of pounds. We shall afterwards find that this affair of absence from the host was taken from the justiciary, and put into the hands of the council. Gentlemen fined.

On the 24th John lord Bargeny was indicted for cursing some of the chief nobility, corresponding with Mr. Welsh and others of that party, maintaining the principles of Naphtali and Lex Rex, and declaring that it would never be well in Scotland till episcopacy was brought down, &c. and therefore ought to be punished with forfeiture of life, &c. In March he was before the lords of justiciary, who postponed the affair till the second Monday of June, because the advocate wanted some of his material witnesses, notwithstanding his pains to produce them, and the prisoner had neglected to give a copy of his letter of exculpation or defence. Bargeny's indictment.

The

1680. The council, on the 6th of *March*, wrote to *Alexander MacKenzie*, sheriff-depute of the shire of *Ross*, to use his utmost to suppress conventicles, and to apprehend Mr. *Denoon* and Mr. *Hepburn*, and dissipate their meetings with all severity.

Proceed-
ings a-
gainst con-
venticles.

Commit-
tee for
publick
affairs.

On the 12th they wrote to the earl of *Moray* on the same subject, and renewed their appointment of a Committee for publick affairs, for there had been none since last year; and accordingly they named Mr. *Alex. Burnet* archbishop of *St. Andrews*, who was translated from *Glasgow* after *Sharp's* death, the marquis of *Athole*, earl of *Moray*, bishop of *Edinburgh*, lord *Elphinston*, &c. or any three of them, to meet, as they shall see fit, and take the most effectual methods for suppressing field-conventicles and other disorders, with all the powers the former committees had. The same day, being informed that these meetings abounded especially between the shires of *Edinburgh*, *Berwick* and *Peebles*, they ordered the general to have some of the guards ready to suppress them.

W. Pa-
terson.

Some time in this month the council interposed in behalf of *Will. Paterfon*, who had the care of the prisoners whom he drowned at *Orkney*, for repairing the loss he sustained by his shipwreck. Thus a murderer was rewarded, while the innocent were persecuted to death!

A perse-
cuting
proposal.

On the 8th of *April* they wrote to *Lauderdale*, and proposed, that since the lords of justiciary were so much engaged in prosecuting the heritors and ministers who were in the rebellion, and the absents from the king's host, justiciary commissions might be granted to several persons for punishing those who frequented field-conventicles, &c. With the letter they sent up articles for the general, by which they moved that the forces might attack the king's enemies, viz. 1. All who were forfeited by the parliament or criminal court. 2. All heritors and ministers who had been in the rebellion. 3. Heritors who contributed to it. 4. All rebels who have not taken the bond. 5. All such who, though they have taken the bond, have been at field-conventicles since the 27th of *July* last. 6. All those who have done violence to the orthodox clergy. 7. Assassins, especially the murderers of the bishop, &c. All these proposals were readily complied with at court, as we shall hear. The same day, *James*, *David* and *Geo. Sinclairs*, and *John Baptie* in

in *Pencaitland*, were fined as guilty of *field-conventicles*, 1680. because they heard sermon in a private house where some stood without doors.

At the same time the reverend Mr. *John Rule* (after Mr. the revolution principal of the college of *Edinburgh*) being found guilty of keeping conventicles, and baptizing children without the parish of *Prestonhaugh*, where he was indulged, and preaching in *St. Giles's* church, *Edinburgh*, and baptizing the two children of *John Kennedy* apothecary and *James Livingstone* merchant; for these dreadful crimes the council deprived him of his majesty's indulgence, and sent him to the *Bass* till the king's pleasure should be known. He had been regent in *Glasgow*, and afterwards sub-principal in the king's college at *Aberdeen*, and before the restoration was minister at *Alnwick* in *Northumberland*; but, upon his being ejected by the *Bartholomew* act, he came down to *Scotland*, and now was imprisoned. *John Kennedy* was fined in 100 l. and *James Livingstone* in 200 l. Scots.

On the 18th one *Arthur Dougal*, who had been at *Bothwell*, having been seized by the earl of *Montieth* with some papers about him, was ordered to be sent to *Edinburgh*, as was one *Rob. Short* for some attempt on Mr. *Honnyman* minister at *Livingstone*.

On the 6th of *May* Mr. *James Ker*, having preached at the house of *Grange* to about 500 hearers, while some were without doors, was ordered to oblige himself to keep no more *conventicles* under the penalty of 5000 merks.

The same day they wrote to the king, and moved that for the security of the government, and conveniency of the forces, the mansion-houses, castles and towers standing on the forfeited estates, might be employed as he should judge proper. The king thanked them for their care, and ordered them to give out commissions of justiciary, and sufficient warning to the owners of the houses where the garrisons were to be placed. And now I am brought, in the order of time, to shew the rise of new troubles, and of the increase of the persecution; for, on the third of *June*, *Henry Hall* of *Haughead* was seized. This gentleman, during the month of *May* and beginning of *June*, was much in company with Mr. *Cargill*. They kept themselves as private as they could, but at last were discovered and informed against by Mr. *John Park* the curate of *Carridden*, and the curate of *Borrowstounness*; for the curates were very diligent in informing against

1680. the wanderers. Middleton the governor of *Blackness*, who was a papist, came to the house where they were, as if he had been a stranger, and pretending a great deal of respect for Mr. *Cargill*, begged leave to drink a glass of wine with them. At last, drawing his sword, he told them they were his prisoners, and called the house to his assistance; however, none regarded him except one *Thomas George*. Mr. *Hall* struggled hard with the governor, till Mr. *Cargill* made his escape, notwithstanding his being wounded. Mr. *Hall* would likewise have got off, but *Thomas George* knocked him on the head with the doghead of his carbine, by which he was mortally wounded. However, the townswomen came in a body, and conveyed him out of the town. But such was the nature of his wound, that, not being able to walk far, he fainted, and was obliged to be carried to the next country house belonging to one *Robert Punton*. *Dalziel*, in the mean time, whose house of *Binns* was in the neighbourhood, came with a party of the guards and apprehended him. And though every body saw he was a-dying, yet *Dalziel* would carry him directly to *Edinburgh*; but he died among their hands before they got thither. His corps were laid in the *Canongate* tolbooth for three days without burial; neither could his friends be suffered to do this last office for him, till at last he was buried in the night-time. When Mr. *Hall* was taken, there was found in his pocket an unsubscribed paper, called, from the place where it was found, *The Queensferry paper*, of which I shall give the following abstract.

Abstract of the Queensferry paper.

Queens-
ferry pa-
per.

WE underscribers, for ourselves and all that shall adhere to us — are resolved — to bind ourselves with a solemn and sacred bond, — declaring those, and nothing but those, to be our present purposes. 1. We covenant and swear, that we acknowledge and avouch the only true and living God, Father, Son and Holy Ghost, to be our God, and that we close with his way of redemption by his Son Jesus Christ, — and that we acknowledge the old and new testaments to be by divine revelation, and to contain the will of God to man, &c. 2. That we shall, to the utmost of our power, advance the kingdom of God, (if at any time God shall give us power) by establishing, throughout the lands, righteousness and the true reformed religion, in — its doctrine

doctrine——worship——discipline and government ; 1680.
 and that we shall free the land from——*prelacy* on the
 one hand,——and *erastianism* on the other. 3. That
 we confess with our mouth, and believe with the heart,
 that the doctrine of the reformed churches, especially
 that of *Scotland*, contained in the scriptures, summed up
 in our confessions of faith, and engaged to by us in our
covenants, is the only true doctrine of God ; and that
 we purpose to persevere in it to the end.——That we
 shall endeavour, to our utmost, the overthrow of the
 kingdom of darkness, and whatever is contrary to the
 kingdom of Christ, especially idolatry and *popery*——
superstition, will-worship and *prelacy*——and *erastia-*
nism,——and execute righteous judgment impartially,
 according to the word of God and degree of offences,
 upon the committers of these things especially, *to wit*,
 blasphemy, idolatry, atheism, buggery, sorcery, perju-
 ry, &c.——5. Seriously considering, that the hand of
 our kings and rulers with them hath been a long time
 against the throne of the Lord,——the power and pu-
 rity of our religion——and Christ's reigning over his
 church,——and that there is no more speedy way of
 relaxation from the wrath of God, (that hath ever lien
 heavy on us since we engaged with HIM) but of *rejec-*
ting them, who have so manifestly *rejected God*,——dis-
 claiming the covenants with God,——governing con-
 trary to all right laws divine and human,——and to
 all the ends of government,——seeing they have stopt
 the course of law and justice——and have made
 butcheries and murders on the lord's people, sold them
 as slaves, &c. and that upon no other account but
 for maintaining Christ's right of ruling over their con-
 sciences, against usurpations of men, for fulfilling their
 vows, &c. for——1. Our ancestors neither did, nor
 could bind us ; they did not buy their liberty and con-
 quest with our thralldom and slavery ;——neither did
 they bind us to any thing but to a government which
 they esteemed best for the commonwealth and subjects ;
 and when this ceaseth we are free to chuse another.
 ——2. The covenant——only binds us to maintain
 our king in the maintenance of the true established and
 covenanted religion——without the swearing and seal-
 ing of which our fathers, or rather we ourselves, re-
 fused to receive him for king, or them for rulers ; and
 ——we are free to reject him upon his renouncing of
 it.

1680. it. — 3. Neither is there any hopes of their returning from these sinful courses, — having so often renewed their purposes and promises of persevering in those crimes : And, suppose they should dissemble a repentance, — yet they cannot now be believed, after they have violated all ties that human wisdom can devise to bind men. And, besides, who sees not somewhat of folly to be in this, to think to bind a king *that pretends to absoluteness*? — We then *do reject that king*, and those associate with him in the government, from being *our king and rulers* ; — they having altered and destroyed the Lord's established religion, overturned the fundamental and established laws of the kingdom — and changed the civil government, — into tyranny — We then — do declare, that we shall set up over ourselves, and over what God shall give us power of, government and governors according to the word of God, and especially that word, *Exod. xviii. 21.* — that we shall no more commit the government — to *any one single person*, or lineal successor, we not being by God, as the *Jews* were, bound to *one single family*, — that kind being liable to most inconveniencies, and aptest to degenerate into tyranny. — Moreover, we declare, that those men, whom we shall set over us, shall be engaged to govern us, principally, by that civil and judicial law (not that which is ceremonial or typical) given by God to his people of *Israel.* — 6. It being the work of the ministers of the gospel to preach — and defend the kingdom of God, and to preserve the doctrine, discipline, &c. of the same, from all corruptions and encroachments of rulers and all others ; and seeing the greatest part of ministers were not only defective in preaching against the acts of the rulers for overthrowing religion and reformation, but — hindred those who were willing, and censured some that did it, &c. &c. we declare, that we neither can nor will hear preaching, nor receive sacraments from any of these ministers, — nor from any who have encouraged and strengthened their hands, by hearing and pleading for them. — 7. — We declare, that a gospel ministry is a standing ordinance of God, — and that none of us shall take upon him the preaching of the word, or administering of the sacraments, unless called and ordained thereto. — And yet separation cannot be imputed to us ; there

is both malice and ignorance in the calumny; for if 1680. there be a separation, it must be where the change is, and that is not in us. We are not separating from the communion of the church, and setting up new ordinances and a new ministry, but cleaving to the same ministers and the same ordinances, when others have slid- den back to new ways, and have a new authority super- added, which is like the new piece in the old garment.

8. We bind and oblige ourselves to defend ourselves, and one another, in our worshipping of God, and in our natural, civil and divine rights and liberties; — and if we shall be pursued or troubled, in our worship- ping, rights and liberties, — we shall look on it as a declaring war, and take all the advantages that one enemy doth of another, — but not to trouble or injure any but those that have injured us.

This then is the substance of that paper called, *The Remarks. Queensferry-paper*. It was but a rude draught, and un- subscribed, and had not been consulted upon by the rest of the community. Whether there was just ground for the severe things said against the governors at that time must be left with the reader. As to their disowning the king's authority, we shall have occasion to consider that afterwards; but, for their taking upon them to al- ter the form of government, and introduce a new con- stitution, I do not see how to vindicate it; only this must be said, that it was a rude draught, and the con- tents of it had never been deliberated upon.

The reader will observe, that, after the defeat at *Bothwell*, they who opposed the *indulged* kept by them- selves, not being able to comply or countenance those that did accept the indulgence: And however they were blamed for running into *heights* and *excesses*, yet this must be said, That some of the greatest lengths, as my author calls them, such as renouncing the authori- ty that then was, in less than ten years after this, had the approbation of the whole nation. That in some things they might have been wrong, who can wonder at it, considering the time in which their lot was cast?

On the 4th of *June* the council enjoined the general *Orders to* to send a sufficient number of soldiers to *Queensferry*, for *the gene-* guarding the passages and apprehending those that *ral.* should be informed against, together with two of the magistrates who refused to suppress the tumult, and o- ther suspected persons, and indemnified them in case
of

1680. of slaughter; and ordered the advocate to prosecute, before the justiciary, *Anne Hamilton* lady *Gilchristleugh*, and *James Thomson* tenant in *Tankertoun* parish, for harbouring the murderers of the archbishop.

On the 10th one *Margaret Wauch* was brought in prisoner from *Queensferry*, for being accessory to Mr. *Cargill's* escape. When he got out, tho' much wounded, during the confusion about Mr. *Hall*, he retired to a private place on the south side of the town. A certain woman, finding him there, tyed up his wounds with her head-clothes, and conducted him to *James Punton's* in *Carlowrie*, where he lay in the barn all night. Mrs. *Punton* gave him some warm milk, and a surgeon happening to come to the house dressed his wounds. General *Dalziel* came and took *James Punton* to *Kirkcaldoun*, where, being accused by the curate for shewing kindness to such a rebel as he called Mr. *Cargill*, he was carried to *Edinburgh*, where he lay in prison three months, and paid 1000 merks fine.

King's
letter and
instructions.

The same day the council received a letter from the king, dated at *Windfor* the 14th of *May* last, wherein his majesty, after expatiating against *field-conventicles* as the causes of rebellion, and signifying his resolution to preserve the sacred order of *episcopacy*, &c. declared that he was resolved to continue the indulgence for some time; but then that he had thought fit to send these instructions: 1. They were to suffer none to preach who had been banished from any parish or corporation in *England*, or who, since the last indemnity, had preached in places constructed *field-meetings*, or who could not certify their ordination before the 29th of *June* last, or who did not receive their licence from them. In short, they were to indulge none upon the north side of the river *Tay*. 2. They were to suffer no meeting-house to be within a mile of a parish-church, and to pull down such as were, especially that at *Newbottle*. 3. They were to suffer none to preach in the parishes where they were formerly ministers. 4. No indulged ministers must preach or baptize out of their own parishes, or take upon them to marry any persons, that being restricted to the regular incumbents. 5. None is to be indulged where the generality are regular or orderly, i. e. *episcopalian*. 6. No indulged ministers are to be suffered to keep *presbyteries* or *synods*, these being the grand nurseries of schism and sedition. 7. The families

milies of irregular ejected ministers [*such as would have* 1680.
wone of their INDULGENCES] must be removed from
Edinburgh, St Andrews and Glasgow. 8. As by a former proclamation no non-conformists were to preach in *Edinburgh*, nor two miles round it, so, least that city should be corrupted in its religion and loyalty, none of these preachers were to be suffered within 12 miles of it; and if the council had given any such licences, they were to revoke them. 9. They were to protect the regular ministers.

In pursuance of these instructions, which, in effect, *Repealed*
repealed the indulgence, the council that same day re-
called Mr. Johnston's licence at Newbottle, and ordered
his meeting-house to be pulled down, which was ac-
cordingly done; and the timber and seats were sold at
10 L. sterling; 8 L. 6 s. 8 d. was given to the poor of the
parish, and the rest to the persons employed in execut-
ing these orders. The meeting-houses in Kilpatrick,
Longtoun, Prestonhaugh, Orwal, Ceres, &c. were all or-
dered to be shut up, and the council gave an account
of their diligence in his majesty's service in a letter to
the king.

These proceedings bring to my mind what the mar-
quis of Argyll, when under sentence of death, said to
some ministers, 'My skill fails me, if you who are mi-
nisters will not either suffer much or sin much; for,
though you go along with those men in part, if you do
it not in all things, you are but where you were, and
so must suffer; and if you go not at all with them,
you shall but suffer.' I do not in the least question
that many worthy and valuable persons complied with
the *indulgence*, but they found that no partial com-
pliances could satisfy; and as for those who would
make no compliances, yea, resisted even to blood, tho'
their sufferings were the most severe, yet they had this
for their comfort, *steadfastness in their principles and peace*
of conscience.

Remarks.

On the 14th of June the advocate appeared against
lord Bargeny, and offered an additional libel or accusa-
tion, signifying that his lordship had spoke in favour of
the murder of the archbishop; but an act of council
was produced ordering him to be set at liberty, since
he had found bail to appear when called; upon which
the process was dropt; for the king had likewise wrote
in his favour. He was accordingly released. The
whole

L. Bar-
geny re-
leased.

1680. whole process was malicious. Bishop Burnet says, 'When he was at liberty he discovered a conspiracy in which
 P. 515. Halton and others were concerned. They had practised on some who had been in that rebellion to swear that he and several others were engaged in it, and that they had sent them out to join in it. They promised these witnesses a large share in the confiscated estates if they went through in the business. Depositions were prepared for them, and they promised to swear to them: Upon which a day was fixed for their trial; but the hearts of these witnesses failed them, or their consciences rose upon them; so that, when the day came, they could not bring themselves to swear against an innocent man, and they plainly refused it.' In short, after all practices of this kind, *Bargeny* was at last released.

After Mr. *Cargill* escaped at *Queensferry*, he fled south, where several of his friends were wandering and concealing themselves; for the reader must know that all these wanderers were outlawed and declared rebels. Mr. *Richard Cameron* and some others, after several meetings among themselves for forming a declaration and testimony they were to publish to the world, at last agreed upon one; and about 20 persons came armed to the small burgh of *Sanquhar*, where *Michael Cameron* read the declaration at the cross, and left a copy affixed there, as follows:

The declaration and testimony of the true presbyterian, anti-prelatick, anti-erastian, persecuted party in Scotland, published at Sanquhar, June 22. 1680.

San-
quhar de-
claration.

'IT is not among the smallest of the Lord's mercies to this poor land, that there have always been some who have given their testimony against every course of defection we were guilty of, which is a token for good, that he doth not intend to cast us off altogether, but that he will leave a remnant in whom he will be glorious, if they, through his grace, keep themselves clean, and walk in his ways and methods, as they have been walked in and owned by our predecessors of truly worthy memory, in their carrying on of our noble work of reformation in the several steps thereof, both from popery and prelacy, and likewise from erastian supremacy, so much usurped by HIM, who, it is true, (so far as we know) is descended from the race of

of our kings; yet he hath so far deborded from what he ought to have been, by his perjury and usurping in church-matters, and tyranny in matters civil, as is known by the whole land, that we have just reason to account it amongst the Lord's great controversies against us, that we have not disowned him, and the men of his practices, whether inferior magistrates, or any other, as enemies to our Lord Jesus and his crown, and the true *protestant* and *presbyterian* interest in these lands, our Lord's espoused bride and church. *Therefore*, altho' we be for government and governors, such as the word of God and our *covenants* allow; yet we, for ourselves, and all that will adhere to us, *the representatives of the true presbyterian church, and covenanted nation of Scotland*, considering the great hazard of lying under sin any longer, do, by thir presents, disown CHARLES STUART, who hath been reigning these years bygone or rather, we may say, *tyrannizing*, on the throne of *Britain*, as having any right, title, or interest to or in the said crown of *Scotland* or government, as forfeited several years since by his perjury and breach of *covenant* with God and his church, and usurpation of his crown and royal prerogative, and many other breaches in matters *ecclesiastick*, and by his tyranny and breaches in the very rules of government in matters *civil*. For which reasons we declare, that, several years since, he should have been denuded of being KING, ruler, or magistrate, or of having any power to act, or to be obeyed as such. As also we, under the banner of our Lord Jesus Christ, the captain of our salvation, do declare a war with such a tyrant and usurper, and all the men of these practices, as enemies to our Lord Jesus Christ and his cause and *covenant*; and against all such as have any way strengthened him, sided with, or acknowledged him, in his *usurpation, civil and ecclesiastick*; yea, and against all such as shall anyways strengthen, side with, or acknowledge him, or any other, in the like *usurpation and tyranny*; far more against such as would betray or deliver up our free and reformed church into the bondage of *Antichrist* the POPE of *Rome*. And by this we homologate our testimony, at *Rutherglen*, the 29th of *May* 1679. and all the faithful testimonies of those that have gone before us, as also of those who have suffered of late. Also we do disclaim that declaration published at *Hamilton* the 13th of *June* 1679. chiefly because it takes in the king's interest,

1680. *terest*, which we are, several years since, loosed from ;
 as also, because of the foresaid reasons, and others that
 we may after this (if the Lord will) publish. As also
 we disown and resent the reception of the duke of York,
 a professed *papist*, as repugnant to our principles and
 vows to the most high God, and as that which is the
 great, tho' (alas!) the just reproach of our church.
 We also, by this, protest against *his succeeding* to the
 crown, as against whatever hath been done, or any are
 essaying to do, in this land given to the Lord, in pre-
 judice to our work of reformation. And, to conclude,
 we hope after this none will blame us, or offend at our
 rewarding of those that are against us, as they have done
 to us, as the Lord gives the opportunity. This is not
 to exclude any that have declined, if they be willing
 to give satisfaction according to the degree of offence.

Remarks. It is scarce worth while to take notice of the false
 p. 511. and indistinct account given of this matter by bishop
Burnet, who represents those, whom he calls *Cargillites*,
 as being acted by a strange spirit of fury, and that they
 affixed their declaration to the cross of *Dumfries*, since
 it was at *Sanquhar*, from whence their declaration had
 its name, and which exposed them not only to the cru-
 elty of their enemies, but even to the censures of those
 who *should have been* their friends. Though every ex-
 pression in their *declaration* was not so well chosen, yet
 that which was most cried out against is not incapable
 of being defended. They disowned the king's autho-
 rity, and they gave their reasons for so doing, *viz.*
 his breaking all his engagements, overturning the con-
 stitution both in church and state, depriving his sub-
 jects, not only of their liberties and properties, but
 likewise of the free exercise of their religion, by claim-
 ing and assuming an absolute, tyrannical and arbitrary
 government. If matters were as they represented,
 and the reader is to judge, from the former part of
 this history, whether they were or not, then it is cer-
 tain that the conduct of the whole island at the *revolu-*
tion justifies their disowning the authority that then
 Gordon, was. 'It is certainly unlawful, says an ingenious modern
 on Tacitus, vol. I. p. 102. author, to resist government ; but it is certainly lawful to
 resist the deviation from government. To resist the a-
 buse of government is to assist government. It is al-
 lowed to be just to help our protectors ; but it is e-
 qually just to oppose our enemies, madmen and spoil-
 ers.

ers. Now, what was *Nero*, what *Caligula* and *Claudius*? The one a bloody idiot, the other two inhuman madmen. — If their course of cruelties and oppression was government, so are *plagues*, *tempests* and *inundations*; but if their lives and actions were altogether pernicious and detestable, the *exterminating* such monsters from among men would have been a service to the whole race.' And a little farther he says, 'What a-p. 105. vail laws and liberty, ever so excellently framed, when they are at the mercy of lawless rage and caprice? If we are forbid by God to defend laws, why do we make them? Is it not unlawful to make what it is unlawful to defend? What else is the end of government but the felicity of men? And why are some raised higher in society than others, but that all may be happy? — What more right had *Nero* to take away the lives of innocent men than any other assassin, what more title to their fortunes than any other robber? What better right to spill their blood than any other tyger? And is it unlawful to resist robbers and assassins and beasts of prey? Did the ALMIGHTY ever say of that beastly tyrant, Touch not *Nero* mine ANOINTED, and do his *ruffians* no harm?' And, as the reverend author of the *Hind let loose* says, Though it is not the prudence of the management, but the justice of the action, that I would have vindicated from obloquies, yet nothing was wanting but success to justify both. From the whole I think I may assert, that it was from the vigorous prosecution of the principles upon which these men acted, that the nation owed the *revolution*, and the happiness of the *protestant* succession. It was therefore a pity that they had so few to take their part and espouse their cause, especially of those who were under the same COVENANT engagements with them. Had all the *presbyterians* in *Scotland* remained united, and continued in opposing *erastianism*, as well as *prelacy*, none, humanly speaking, would have had occasion to accuse these men of going *heights* and *lengths*, and what not. As for their protestations against the *succession* of the duke of *York*, it was no more than what was done by those worthy *English patriots* who promoted the bill of *exclusion*. If the reader wants a farther vindication of these men, I must refer him to their own *informatory vindication*, the *Hind let loose*, and *Jus populi vindicatum*, and proceed in the history of matters of fact.

When

1680. When the account of the above declaration came to the council, they wrote to *Lauderdale*, June 30. wherein, as might be expected, they branded these poor people with the names of *vilains, ruffians*, the scum of the people; and the same day published a proclamation for apprehending Mr. *Donald Cargil*, Mr. *Richard Cameron* and his brother, Mr. *Thomas Douglass*, *John Vallenge*, *Dan. MacMitchell*, *Tho. Campbell*, *John Moodie*, *Patrick Gemble*, *James Stewart*, *Alex. Gordon*, *Francis Johnstoun*, and——*Crichton*. In order to this there was not only a price set upon each of them, for the better encouragement of all who should be at pains to apprehend them, but likewise all heritors, &c. in the south and west shires, were to call all who dwelt within the bounds of their estates, from 16 years of age and upwards, to swear whether they saw any of these persons, or discovered any lurking or concealing themselves, under the pain of being looked upon as traitors themselves.

Orders to
Dalziel.

Jointly with this proclamation they ordered *Dalziel* to send out parties to search for and apprehend the last mentioned persons, and bring them in dead or alive, and to call to his assistance any of the nobility and gentry, with their dependents, as he should see proper.

Bond of
mutual
defence.
Cloud of
Witnesses,
p.
359.

The people concerned in the *Sanquhar* declaration, perceiving the preparations against them, entred into the following bond of mutual defence, subscribed by Mr. *Richard Cameron*, his brother *Michael*, *Archibald Stewart*, *John Potter*, and about 30 more, which was found on Mr. *Cameron* when he was killed at *Airsmoss*.

‘We underscribers bind and oblige ourselves to be faithful to God, and true to one another, and to all others who shall join with us, in adhering to the *Rutherglen* testimony, and disclaiming the *Hamilton* declaration, chiefly because it takes in the KING’s interest, which we are loosed from by reason of his perfidy and covenant breaking, both to the most high God, and the people over whom he was set upon the terms of his propagating the main ends of the COVENANTS, to wit, the reformation of religion; and, instead of that, usurping to himself the royal prerogatives of Jesus Christ, and encroaching upon the liberties of the church; and so stating himself in opposition to JESUS CHRIST the mediator, and the free government of his house; and also in disowning and protesting against the reception of the duke

duke of York, a profest *papist*, and whatever else hath been done in this land (given to the Lord) in prejudice of our covenanted and universally sworn to reformation. And although, as the Lord who searcheth the heart knows, we be for government and governors, both civil and ecclesiastick, such as the word of God and our covenants allow, yet by this we disown the present magistrates, who openly and avowedly are doing what in them lyes for destroying utterly our work of reformation from *popery, prelacy, erastianism*, and other heresies and errors; and by this we declare also, that we are not any more to own ministers indulged, and such as drive a sinful union with them; nor are we to join any more in this publick cause with ministers, or professors of any rank, that are guilty of the defections of this time, until they give satisfaction proportioned to the scandal and offence they have given.

On the first of July a process was commenced against the earl of Tweeddale, for a meeting in the town-barn belonging to his lordship in the town of Innerkeithing; but, as the barn held of the town, the earl was acquitted, and the magistrates fined in 50 L. sterling, which the inhabitants were obliged to pay. The same day messrs. Will. Row and Jo. Gray, not having proper licences, were discharged from preaching, and messrs. Geo. Hamilton and Ja. Rymer, not appearing to answer for their preaching in several places, were denounced and put to the horn.

On the 6th the earl of Rothes was made a duke; and the following gentlemen were forfeited in absence for their supposed accession to Bothwell, viz. John Bell of White-side, John Gibson of Auchinchyne, — Gibson younger of Inglisfoun, — Gordon of Dundee, — Grier of Dalgoner, — Smith of Kilroy, — MacClellan of Bermagechan, Tho. Bogle of Bogleshole, Baird younger of Dungeon-hill, Gordon of Craig, Lennox of Irelandtoun, Gordon of Barharrow, John Fullartoun of Anchinhare, David MacCulloch son to Ardwell, Will. Whithead of Millhouse, John Welsh of Cornley, — Neilson of Corsack, Rob. MacClellan of Barscob, and his brother Samuel, — Fullartoun of Nethermill, Geo. MacKartney of Blaiket, — Gordon of Garrerie, — Gordon of Knockgray, — Herron of Little-park, Gordon of Holm, Gordon of Overbar, John MacNaught of Culquhad, Murdoch, alias laird Murdoch, and John Benning of Dalvennan, Many

1680. Many others were forfeited whose names are not now known, and many were declared fugitives. And, to conclude the affair of the forfeitures,

*Estates
given to
papists.*

My author, from written accounts from *Galloway*, tells us, that *Alex. Hunter* of *Colquhasben* was forfeited, and his estate given to the countess of *Nithsdale* a papist. *Alex. Hay* of *Ardwallen* was likewise forfeited, and his estate given to the same popish family. His mother, a pious gentlewoman of 80 years of age, was imprisoned for non-conformity, and her annuity given to the said popish family. Thus the duke of *York* and his creatures were making way for the introduction of *popery*, so low was the reformation brought under the tyranny of *prelacy*.

John Niven.

On the 15th of *July*, *John Niven* shipmaster was prosecuted for saying, at *Bruntisland*, 'That the duke of *York* had been upon a plot for taking away his majesty's life, and had contrived with the king of *France* to invade *England* with an army, and had come to *Scotland* to make a party and faction, and to introduce *popery*.' They wrote to *London* before they passed sentence, though he was found guilty. At last he was condemned to be hanged on the 18th of *August*; but the king, at the intercession of his dear brother, ordered the sentence to be suspended, and that he continue in prison during pleasure. On the 19th *Alex. Ross* was condemned for being in the rebellion; but, upon his casting himself on the king's mercy, and promising to take the oaths, obtained a remission.

C H A P. IV.

Of the skirmish at Airsmoss; the execution of Mr. Hackston of Rathillet, and others; the TORWOOD excommunication, with the proceedings of the council upon it, and other branches of persecution to the end of the year.

1680.

*Skirmish
at Air-
moss.*

WHILE the soldiers were ranging up and down the country, in quest of the wanderers, a remarkable skirmish happened at *Airsmoss* in the parish of *Auchinleck* in *Kyle*. On the 20th of *July*, *Bruce* of *Earlshall*, commanding lord *Airly's* troop and *Strachan's* dragoons, having information from Sir *John Cochran* of *Ochiltree* where Mr. *Cameron* and several of his followers were, came upon them, with great expedition and fury,

fury, about four o'clock. Perceiving the enemies approach, and that there was no possibility of escape, Mr. *Cameron*, after a short prayer, encouraged them to fight in their own defence. The dragoons that came upon them were about 120, whereas the persecuted people were only about 40 foot, indifferently armed, and 26 horse. Mr. *Hackston* and Mr. *Cameron* commanded the horse, who all behaved with great bravery; but were overpowered and broken by a vast superiority of numbers; the former was wounded and taken prisoner, and the latter was killed. There were in all nine killed on the spot, viz. Mr. *Richard Cameron* and his brother *Michael*, captain *John Fowler*, *John Gemble*, *John Hamilton*, *Rob. Dick*, *Tho. Watson*, *Rob. Paterson* in *Kirkhill of Cambusnethan*, a singularly pious youth, and *Jam. Gray* younger of *Christoun*, who was a youth of good parts and eminent piety. Mr. *Cameron* was observed to pray, when he had the prospect of this engagement, *Lord take the ripest and spare the greenest*, which was evidently to be seen in this pious youth. The soldiers owned he was the person who mauled them most. Several were wounded. — *Manuel of Shots* died of his wounds, as he entered the tolbooth of *Edinburgh*, and *John Vallange* died on the day following. *Archibald Alison* in the parish of *Evandale* and *John Malcolm* in the parish of *Dalry* were taken prisoners, as was one *John Pollock*, who was put in the boots, and endured the torture with great firmness and resolution, and was afterwards banished. Bishop *Burnet* was misinformed in saying that Mr. *Cargill* was taken here. P. 511.

When Mr. *Cameron* was killed, his head and hands were cut off by *Robert Murray*, and carried in to the council, who ordered them to be set up on the *Netherbow-port* in *Edinburgh*. It is said that *Earlshall* gave a guinea for this piece of service. *John Fowler's* head was struck off, through mistake, instead of *Michael Cameron's*. When *Earlshall* came to *Edinburgh*, he ordered the heads to be taken out of the bag in which they were carried, put them upon a halbert, and carried them to the council. *Robert Murray* said, *There is the head and hands that lived praying and preaching, and died praying and fighting*. Mr. *Cameron's* father being in the tolbooth of *Edinburgh*, they carried them to him, to add to his sorrow, and inquired if he knew them. He took his son's head and hands and kissed them, and said, *I know*

Treat-
ment of
Mr. Ca-
meron.

1680. know them, they are my son's, my dear son's. It is the Lord, good is the will of the Lord, who cannot wrong me nor mine, but has made goodness and mercy to follow us all our days. Mr. Cameron's head was fixed on the port, and his hands by his head, with his fingers upward.

Thus the famous Mr. Cameron fell a sacrifice to prelatick fury, and died a martyr for religion and liberty. It was from him that these tossed and persecuted people were afterwards nick-named *Cameronians*. He was a zealous preacher, not only against *prelacy*, but also against the *indulgence*, following the example of Mr. *John Welwood* and Mr. *John Kid*. For a farther account of him the reader may consult *P. Walker's* remarkable passages of his life, who was a sufferer in this period, and the appendix to the *Cloud of witnesses*. Mr. *Cargill*, the sabbath following, preached from 2 *Sam.* iii. 38.

On the 23d of *July* Mr. *Rule* was appointed to be set at liberty, upon giving a bond of 5000 merks to leave the kingdom in eight days. Accordingly he went abroad, studied physick, and took his degrees. After which he came and lived in *Berwick*, where he was very useful. While there the earl of *Hume* formed a design to apprehend him, because, when visiting the laird of *Houndwood's* family, he expounded a chapter, which was constructed keeping of a *conventicle*; but he very providentially escaped, though *Houndwood* was fined in 100 merks. See the account given of him by the reverend and worthy Dr. *Calamy*, in his abridgment of *Baxter's Life*, vol. II. p. 517.

On the 24th the magistrates of *Glasgow* were ordered to turn all the non-conform preachers out of town, and suffer none of them to live within a mile of it.

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The same day, being informed of the taking of *Rathillet* and the other prisoners, they ordered the magistrates of *Edinburgh* to receive him at the *Water-gate*, to set him on a bare horse, with his face to the tail, to tie his feet under the horse's belly, and his hands with ropes; that the executioner go before him covered, carrying Mr. *Cameron's* head on a halbert, and leading the horse up the high street to the common prison; that the three other prisoners be conducted on foot bare-headed after him, with their hands tied to a goad of iron; that no meat be given to *Rathillet*, but what should be prepared by the master of the jail, nor any permitted to speak with him, or any letters conveyed to him.

In

In a letter to his friend, he says, That he was carried up to the parliament-close, and brought before the council, where the chancellor read an indictment against him; first concerning the bishops murder, to which he answered, That he was obliged by no law, either of God or man, to answer to it, either by accusing himself, or impeaching others. Being asked if he thought it murder, he told them, That he was not obliged to answer such questions, yet he would not call it so, but rather say it was *no murder*. Being farther asked, if he owned the king's authority, he replied, That though he was not obliged to answer, yet, being permitted to speak, he would say something to that; and first, 'That there could be no lawful authority but *what was of God*; and that no authority stated in a direct opposition to God, *could be of God*; and that he knew of no authority nor justiciary this day in these nations, but what were in a direct opposition to God, and so could neither *be of God*, nor *lawful*; and that their fruits were kything it, in that they were setting *buggerers, murderers, forcerers*, and such others, at liberty from justice, and employing them in their service, and made it their whole work to *oppress, kill and destroy the Lord's people*.' This enraged the chancellor and the rest so much, that they required him to give an instance. He answered, 'Though it were enough to instance any such when *he saw a judicature to execute justice*, yet he would instance one; and accordingly mentioned a *buggerer* released at the sheriff-court of Fife, and employed in their service; and offered to prove it notwithstanding all their rage.' Bishop Pater-son asked, *If ever Pilate and that judicature, who were direct enemies to Christ, were disowned by him as judges?* He said, He would answer no *perjured prelate* in the nation. Pater-son replied, He could not be called perjured, since he never took that *sacrilegious covenant*. Mr. Hackstoun told him, that God would own that *covenant* when none of them were to oppose it. A good deal more passed to the same purpose, which the reader may see in the *Cloud of witnesses*. Notwithstanding his bold and open answers, he was threatned with torture, which he no way regarded.

On the 26th the affair of *absence from the king's host* Gentle- was taken out of the hands of the justiciary, and put in- men fined to those of the council, which was a more arbitrary *for ab-* court; and the following gentlemen, viz. Dundas of *sence from* Borthwick, the host.

1680. *Borthwick, the laird of Riddel, Geo. Douglass of Bonjedburgh, Ker of Cherrytrees, James Scot of Thirlestane, Francis Scot of Greenhill, P. Wardlaw, Rob. Brown of Blackburn, Pringle of Greenknows, Alex. Hume of St. Bathans, Sam. Spence, Clappertoun of Wylicleugh, Geo. Hume of Bassenden, were fined in above 2201 L. sterling. Many others were fined for the same cause; and about the end of this year the council ordered all found guilty of absence to be kept in custody, for the future, till their fines be discharged.*

Mr. Hackstoun declined the king's authority, &c.

Mr. Hackstoun was again before the council this day, and answered much to the same purpose as before, and on the 27th was before the justiciary, when, as he says himself in another letter to his friend, 'He declined the king's authority, as an *usurper of the prerogatives of the son of God*, whereby he had involved the lands in *idolatry, perjury, and other wickednesses*, and declined *them*, (as exercising under *him* the supreme power over the church usurped from Jesus Christ) who, in carrying on their designs of confirming themselves in their usurpations of the crown of Christ, had shed so much innocent blood through the land; and therefore he durst not, with his own consent, sustain them as competent judges, but declined them as open and stated enemies to the living God, and competitors for his throne and power belonging only to him.'

What passed when he received his sentence.

On the 29th, the day before he was brought to his trial, the council, in a most unprecedented manner, appointed the manner of his execution. On Friday the 30th, being again brought before the justiciary, and being asked if he had any thing more to say, he answered, *That which I have said I will seal it.* Then they told him that they had something to say to him, and commanded him to sit down and receive his sentence, which he did; but told them, 'They were all murderers; for all that power they had was derived from *tyranny*; and that, these years bygone, they had not only tyrannized over the church of God, but had also *grinded the faces of the poor*; so that oppression, bloodshed, perjury, and many murders were to be found in their skirts.'

His execution.

Upon this he was condemned, and carried from the bar to the place of execution. None were suffered to be with him but two of the bailies, the executioner, and his servants. He was permitted to pray; but not to speak to the people. His right hand was first struck off; and

and a little after his left ; which he endured with great 1680.
firmness and constancy. The hangman being long in
cutting off his right hand, Mr. *Hackstoun* desired him to
strike in the joint of the left ; but spoke no such thing as
bishop *Burnet* represents, ' That, when his hands were
cut off, he asked, like one unconcerned, if his feet must
be cut off likewise.' He was next drawn up to the top
of the gallows with a pulley, and, says the *Cloud of wit-*
nesses, was suffered to fall down a very considerable way, *Pref.*
upon the lower scaffold, three times, with his whole *edit. 4.*
weight ; then he was fixed at the top of the gallows, *p. 18.*
and the executioner, with a large knife, cutting open his
breast, pulled out his heart before he was dead ; for it
moved when it fell on the scaffold. He then stuck his
knife in it, shewed it on all sides to the people, crying,
Here is the heart of a traitor. At last he threw it in a
fire prepared on purpose, with his other inwards ; and,
having quartered his body, his head was fixed on the
Nether-bow, one of his quarters, with his hands, at *St.*
Andrews, another at *Glasgow*, a third at *Leith*, and a
fourth at *Bruntisland*. Thus fell *David Hackstoun* of *Ra-*
thillet, Esq; a gentleman related to some of the princi-
pal families in *Scotland*, and a person of eminent piety
and courage.

On the 4th of *August*, *John Malcolm* in the parish of *Two more*
Dalry in *Galloway*, and *Archibald Alison* in the parish of *executed.*
Evandale in *Clydsdale*, two other prisoners taken at *Air-*
smoss, were sentenced to be hanged on the 11th instant
in the *Grass-market*, which was executed accordingly.
Their testimonies are both in the *Cloud of witnesses*,
wherein they shew the reasons of their conduct, and de-
clare their constant adherence to the covenanted work of
reformation against *popery*, *prelacy*, *erastianism* and ty-
ranny. Thus all the prisoners taken at *Airsmoss*, except
John Pollock, were executed, as above.

Mean while, on the said 4th of *August*, another com- *Another*
mittee for publick affairs was appointed, consisting of *commit-*
the archbishop of *St. Andrews*, the earl of *Linlithgow*, *tee for*
the bishop of *Edinburgh*, the president, *Collington*, *publick*
Lundin, *Niddry*, the officers of state, or any three of them, *affairs.*
with the former powers ; and the former endeavours for
discovering those concerned in *Bothwell* were enforced
with new orders. The reader perhaps may think it tire-
some to pursue the various and repeated commissions
granted

1680. granted in order to apprehend those concerned in the late rising.

Soldiers
sent to
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the coun-
try.

During these things many parties of soldiers were sent through the country to quarter in the *west* and *south*, to be in readiness when any of the persecuted party were heard of; and none of them was more eager, than one captain *Inglis*, in searching for those who had been hearers of Mr. *Cameron* or Mr. *Cargill*; *Robert Cannon* of *Mandrogate*, once a professor, was very useful to the soldiers in discovering the lurking places of the poor wanderers; and about this time he was made collector of the cels and excise in *Carssphairn* and the neighbourhood; and as he was pretty much acquainted, so, when the soldiers seized suspected persons, *Cannon* was sent for, and they were kept or let go according to his direction. Courts likewise were held at *New-Galloway*, and other places, for the trial of those who had the misfortune to fall into their hands; but, as the heritors were not very cordial in these things, the officers of the army took the work upon themselves, and put many to their oath in a most arbitrary and unprecedented manner.

In consequence of the opinion of the last made committee, on the first of *September*, Mr. *James Ker* and Mr. *Arthur Dougal* were ordered to be released upon bail, but Mr. *John Dickson*, late minister of *Rutherglen*, was sent first to prison at *Edinburgh*, and from thence to the *Bass*, where he continued several years. By a letter from the king, of the 3d, the common people, who had been concerned in *Bothwell*, had to the first of *March* next to take the bond; but heritors, ministers, ringleaders, &c. were still excepted.

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Hind let
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p. 153.

Mr. *Cargill* was now the only person who ventured to preach in the fields, notwithstanding the sanguinary laws against that practice, and who prosecuted the testimony for religion and liberty in that manner; and, considering all the preachings, protestations and declarations against the wickedness and tyranny of those who had the administration of the government in their hands, and that both the defensive arms of men, and the christian arms of prayers, &c. had been used, yet that of ecclesiastical censure had not been authoritatively exerted; therefore, though he could not have the concurrence of his brethren to strengthen the solemnity of the action, yet he did not think that defect, in this broken state of the church, could disable his authority, or lessen the duty.

Accordingly,

Accordingly, in *September* or *October* this year, he had 1680.
a large meeting at the *Torwood* in *Stirlingshire*, when
he pronounced the sentence of EXCOMMUNICATION
against some of the most violent persecutors of that day,
as formally as the present state of things could permit;
and in doing this he gave them the ordinary names by
which they were called, that all might know who the
persons were.

After he had lectured upon *Ezek. xxi. 25, 26, 27,* and
preached from *1 Cor. v. 13,* he discoursed a little con-
cerning the nature of *excommunication*, and declaring that
he was not acted from any spirit of revenge, but mere-
ly from the constraint of conscience; he then pro-
nounced the following sentence.

I being a minister of *Jesus Christ*, and having au-
thority and power from him, do, in his name, and by
his spirit, *excommunicate*, cast out of the true church, and
deliver up to Satan, *Charles II. king, &c.* and that upon
the account of these grounds following: 1. For his high
mocking of God, in that, after he had acknowledged
his own sins, his father's sins, his mother's idolatry, he
hath, notwithstanding, gone on more avowedly in those
sins than all that went before him. 2. For his perjury,
in that after he had, twice at least, solemnly subscribed
that *covenant*, he did so presumptuously renounce, dis-
own, and command it to be burned by the hands of the
hangman. 3. Because he hath rescinded all laws for
establishing of that religion and reformation engaged to
in that *covenant*, and enacted laws for establishing its con-
trary, and is still working for the introducing *popery*
into thir lands. 4. For commanding of armies to
destroy the Lord's people, who were standing in their
own *just defence*, and for their privileges and rights, a-
gainst the tyrannies, oppressions and injuries of men,
and for the blood he hath shed in fields, on scaffolds,
and on seas, of the people of God, on account of re-
ligion and righteousness, (they being *most willing in all*
other things to render him obedience, if he had reigned and
ruled them according to his *covenant* and *oath*) more
than all the kings that have been before him in *Scotland*.
5. That he hath been still an enemy to, a persecutor of
the true *protestants*, a favourer and helper of the *papists*,
both at home and abroad; and hath hindred, to the ut-
most of his power, the due execution of just laws against
them. 6. For his relaxing of his kingdom, by his fre-
quent

1680. *w*quent grant of remissions and pardons for murderers, (*which is in the power of no king to do, being expressly contrary to the law of God*) which was the ready way to embolden men in committing of murders, to the defiling the land with blood. Lastly, To pass by all other things, his great and dreadful uncleanness of adultery and incest, his drunkenness, his dessembling with God and man, and performing his promises where his engagements were sinful, &c. Next.

The duke of York. By the same authority, and in the same name, I excommunicate, &c. *James duke of York, &c.* and that for his idolatries, (for I shall not speak of any other sins but what have been perpetrated by him in *Scotland*) and for setting up idolatry in *Scotland*, to defile the Lord's land, and his inticeing and encouraging others to do so, &c.

Duke of Monmouth. Next, in the same name, &c. I excommunicate, &c. *James duke of Monmouth, &c.* for coming into *Scotland*, upon his father's unjust command, and leading armies against the Lord's people, who were constrained to rise, being killed in and for the right worshipping of the true God, and for his refusing, that morning at *Bothwell-bridge*, a cessation of arms, for hearing and redressing their injuries, wrongs and oppressions, &c.

Duke of Lauderdale. 'Next, I do, by the same authority, &c. excommunicate, &c. *John duke of Lauderdale, &c.* for his dreadful blasphemy, especially that word to the prelate of *St. Andrews*, *Sit thou at my right hand, until I make thine enemies thy footstool*; his atheistical drolling on the scriptures of God, scoffing at religion and religious persons; his apostacy from the covenant and reformation, and his persecuting thereof, after he had been a professor, pleader, and presser thereof; for his perjury in the business of *Mr. James Mitchel*——for his adulteries and uncleanness; for his counselling and assisting the king in all his tyrannies, overturning and plotting against the true religion; for his gaming on the Lord's day, and for his usual and ordinary curling.'

In the same manner he pronounced sentence against the duke of *Roths*, *Sir George MacKenzie* the king's advocate, and *Thomas Dalziel* of *Binns*.

Memoirs of the church of Scotland, p. 282. After he had pronounced sentence as above, he went on as follows: 'I think none that acknowledge the word of God, the power deputed to the church, and the reason and nature of that power, can judge this sentence to be unjust. The pretence of its being *unformal*, with-

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without warnings, admonitions, &c. is fully answered, 1680. in that those men have placed themselves above the admonitions of ministers, have repelled all due warnings, and wickedly put to cruel deaths the servants and ministers of Christ, who have, with freedom and boldness, adventured to give them warnings and admonitions, and shut up all access from us that remain to do the like; and as for proof of the fact I have here charged upon them, it needeth none, the deeds being notour and known, and the most of them such as themselves do avow, and, to their shame, boast of. And, *as the causes are just*, and such as for which the ministers of Christ have in all ages proceeded to the like sentence, so, it being now done by a minister of the gospel, and in such a manner as the present circumstances of the church of Christ, with respect to the present cruel persecution, will admit, the sentence likewise is undoubtedly just also: And there are no powers on earth, either of kings, princes, magistrates, or ministers of the gospel, can, without the repentance of the persons openly and legally appearing, reverse these sentences upon any *such* account. And as God, who is the author of that power, is the more engaged to the ratifying of these sentences; so all that acknowledge the word of God, and believe themselves subject to his government, ought also to acknowledge them.'

'If any shall object, as we hear they do, that these proceedings, though not unjust, are foolish and rigorous; we answer with that word of scripture, which we have much more reason to use than those of whom it is recorded, *Gen. xxxiv. 31. Should he deal with our sister, as with an harlot?* Should they deal with our God as with an idol? Should they deal with his people as with murderers and malefactors? And shall we not draw out God's sword against God's enemies.'

It is not my province either to condemn or vindicate *Remarks.* this action, which not only exposed the sufferers to the greater fury of their persecutors, but also to the censures of their friends, nay, and exposed the whole body of the *presbyterians* to the ridicule and scorn of their enemies; though nothing is more certain, than that they were neither consulted in it, nor approved of it. However, the following queries are submitted to the reader. Had not the persons against whom the sentence was pronounced been guilty of all that was laid

1680. to their charge? Was not Mr. *Cargill* an approved minister of the gospel? Can it be said that kings and princes are not subject to the censures of the church? It is plain the church of *England* approves of the excommunication of royal persons if they deserve it, as may be seen from *their homilies*, which are recommended by the 35th article. Thus, in that *homily of the right use of the church*, part 2d, it is said, 'And, according to this example of our Saviour Christ, in the primitive church, London, which was most holy and godly, and in the which due discipline, with severity, was used against the wicked, open offenders were not suffered once to enter into the house of the Lord, nor admitted to common prayer and the use of the holy sacraments, with other true christians, until they had done open penance before the whole church. And this was practised not only upon mean persons, but also upon the rich, noble and mighty persons, yea, upon THEODOSIUS that puissant and mighty EMPEROR, whom, for committing a grievous and wilful murder, St. *Ambrose* bishop of *Milan* reproved sharply, and did also excommunicate the said EMPEROR, and brought him to open penance. And they that were so justly exempted and banished (as it were) from the house of the Lord, were taken (as they be indeed) for men divided and separated from Christ's church, and in most dangerous estate. Yea, as St. *Paul* faith, *even given unto Satan*, the Devil, for a time; and their company was shunned and avoided by all godly men and women, until such time as they, by repentance and publick penance, were reconciled.' Here then is the excommunication of a puissant and mighty emperor, and his being brought to open penance, approved of by the church of *England*.

From this the reader must judge for himself, how ill it becomes the *high-flyers* to make the *Torwood* excommunication a matter of reproach to all *presbyterians*, even upon the supposition that they had approved of it, and whether that action was so unprecedented as some would represent it. As for the formality and seasonableness of it at that time, I must refer him to what Mr. *Cargill* says himself, and to his own reflection.

His sermon next sabbath.

Next Lord's day Mr. *Cargill* preached at the *Fallow-hill* in the parish of *Livingstone*, and, in the preface, said, 'I know I am and will be condemned by many for what I have done, in excommunicating those wicked

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ed men ; but condemn me who will, I know I am ap- 1680.
 proven of God, and am persuaded that what I have
 done on earth is ratified in heaven ; for, if ever I
 knew the mind of God, and was clear in my call to any
 piece of my generation-work, it was in *that* ; and I
 shall give you two signs whereby you may know I am
 in no delusion. 1. If some of these men do not find
 that sentence binding upon them ere they go off the
 stage, and be not obliged to confess it from their ter-
 ror, and to the affrightment of others. 2. If these men
 die the ordinary death of men, then God hath not
 spoken by me.' The first of these was verified in the
 duke of *Roths* ; and the second in the remarkable exit
 of most of those who were excommunicated.

In the month of *September*, Mr. *Archibald Riddel*, Mr.
 brother to the laird of *Riddel*, together with *Turnbull* of *Riddel*
Know and the laird of *Down*, were apprehended by the ^{apprehen-}
 laird of *Graden*, and sent in prisoners to the jail of *Jed-*
burgh. The council ordered *Meldrum* to bring them
 into *Edinburgh*, and recommended *Graden* to the lords
 of the treasury for the reward offered by the council's
 proclamation for taking Mr. *Riddel*.

On the first of *October* he was examined before a com- His exa-
 mittee of the council, and owned, that, though he had ^{mination.}
 not preached in the fields since the indemnity, yet he
 had preached in private houses, where there were peo-
 ple *without doors*, which, by the laws then in being,
 was constructed to be a *field-conventicle*. He declined
 giving his oath upon this, since oaths were tender
 things ; neither would he engage not to preach in the
 fields for the future, though he had refrained from that
 practice for some time past ; for, said he, ' I have not,
 since the *indemnity*, judged myself under a necessity to
 preach out of a house ; but I know not but he that
 has called me to preach this while bygone in houses,
 may, before I go out of the world, call me to preach
 upon tops of mountains, yea, upon the seas ; and I
 dare not come under any engagements to disobey his
 calls.' And, when farther urged upon this point, he
 said, ' Both *conformed* and *indulged* have preached in the
 fields without offence ; as, when their churches have
 been ruinous, or otherways, they could not conveni-
 ently preach in the church, they have done it in the
 church-yard.' To this the advocate said, ' In such
 cases as these it is not constructed to be against law.'

1680. Mr. *Riddel* replied, 'But then, my lord, what shall I do with my engagement never to preach in the fields, to know whether it shall be constructed against law or not? Your lordship will not allow me to explain or put a construction upon my engagement myself.' Not being able to answer this, the advocate said, That, if he was of Mr. *Riddel*'s principles, he would judge it his duty rather to go out of the nation, than disturb the peace of the land by acting contrary to its laws.

Remarks. I shall not trouble the reader any farther on this, than to observe, that Mr. *Riddel* was none of the followers of Mr. *Cargill*; nay, he expressly owned the king's authority, and disapproved of those who were otherways minded; he had never been in what they called rebellion; so that all they could lay to his charge was his preaching in houses when people were without doors, and his refusing to engage not to preach in the fields for the future; and yet, after this examination, he was sent back to prison. We shall meet with him afterwards.

Mr. *Veitch* minister at *Westruther*, was summoned to appear for preaching without a licence, and, not appearing, was ordered to be denounced and put to the horn. The same day *Francis Grier*, who had been five months in prison for lodging two of his friends who had been at *Bothwell* for one night, was ordered to be released upon signing the bond. One *William Punton*, who had been in prison for harbouring Mr. *Cargill*, was released upon giving a bond of 1000 L. to answer when called.

The duke of York sent to Scotland, Rapin. The time of the English parliament's sitting now drew near, when another attempt was to be made against the duke of York. In order to prepare the way for this, the earl of *Shaftsbury*, attended by 12 lords and gentlemen of note, went publickly to *Westminster-hall*, and, at the king's bench bar, by a bill in form, presented the duke of York as a popish recusant. This action so surprised the three principal ministers, that, to ingratiate the king with the parliament, they advised him to send his royal highness into *Scotland*, believing it would not be in his power to support him if he continued in *England* during the session. The king, approving of their reasons, obliged the duke to return to *Scotland*, after repeated assurances that he would never forsake him.

The king, however, says my author, gave another turn to this in his letter to the council at *Edinburgh*, dated

dated *October* 23. acquainting them that he was to send down his brother for the better dispatch of affairs among them; and the chancellor letting them know that he was to land at *Kirkaldy*, and be at the house of *Lesly* till the *Abbey* should be fitted up for his reception, they ordered all the councillors on the south of *Aberdeen* to wait on his highness at his arrival, that there may be all manner of demonstrations of joy.

Accordingly, on the 25th of *October*, the duke and dutchess arrived in *Kirkaldy* road, and repaired to *Lesly* house, where they continued till the 29th, when they came to the *Abbey* of *Holy-rood-house*. On *Saturday* the bishop of *Edinburgh*, with the clergy in town, waited upon him, and expressed the general satisfaction of the *orthodox* clergy at his arrival. But where the *orthodoxy* was, in caressing a *popish* prince retiring from the resentments of an *English* *PROTESTANT* parliament, must be left with the *protestant* reader. But it is well known that the *prelatical* clergy in *Scotland*, for all their *orthodoxy*, were not only at this time, but have ever since been the abettors of *popery*. Who complimented this *popish* prince upon the birth of his spurious impostor the *pretender*? The *orthodox* clergy. Who were the great enemies of the *revolution* in *Scotland*? The *orthodox* clergy. Who were the great opposers of the *protestant* succession? The *orthodox* clergy. Who the great encouragers of rebellions since the *protestant* line happily took place? The irregular successors of the same *orthodox* clergy, who almost to a man are attached to a *popish* *pretender* to this very day. It is not worth while to take notice of the council's fulsome letter to the king on this occasion, dated *November* the 2d, and signed by 27 councillors and three or four *protestant* bishops. Only the receiving and caressing of the duke of *York* in *Scotland*, when a set of brave patriots in *England* were exerting themselves to the utmost to get him excluded from succeeding to the *English* throne, was justly condemned by the poor persecuted sufferers, who bore their testimony against it, as we shall have frequent opportunity to relate.

On this 2d of *November*, the earl of *Moray*'s commission to be sole secretary of state was read in council, *Lauderdale* having resigned that office into his majesty's hands, after he had possessed it 20 years. Bishop *Bur-*
net, in describing his character, says, 'That his great
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dox clergy.

Earl of
Moray
made se-
cretary.
p. 102.

1680. experience in affairs, his ready compliance with every thing that he thought would please the king, and his bold offering at the most desperate counsels, gained him such an interest in the king, that no attempt against him, nor complaint of him could ever shake it, till a decay of strength and understanding forced him to let go his hold.

Oppres-
sions.

From a process between *Meldrum* and *Philiphaugh*, it appeared that many oppressions and wrong imprisonments had been committed by the former, inasmuch that, by a moderate computation, he had levied from the shire of *Teviotdale* 100,000 l.

Prohibit-
ed books.

On the 11th of *November* the council proceeded against the encouragers of prohibited books, such as *Naphtali*, *Jus regni apud Scotos* in English, *Jus populi vindicatum*, *Reformed bishop*, *Calderwood's History*. *John Calderwood* stationer was imprisoned for having some of these books in his shop. All stationers and booksellers were ordered to produce the lists of what books they imported from abroad, in order to have the approbation of one of the officers of state, or of the bishop of *Edinburgh*.

Mr.
Skene,
&c. ap-
prehend-
ed.

About this time Mr. *James Skene*, brother to the laird of *Skene* in *Aberdeen-shire*, was apprehended as a hearer of Mr. *Cargill*. This gentleman had not been concerned either at *Bothwell*, *Airsmoss*, or the *Torwood* excommunication, and nothing but his hearing Mr. *Cargill* could be laid to his charge. The council met on the 13th of *November*, upon receiving notice that the general had sent in some prisoners. Mr. *Skene*, *Archibald Stuart*, and *John Spreul* apothecary in *Glasgow* were examined before them.

Mr.
Spreul's
sufferings.

Mr. *Spreul's* trouble began soon after *Pentland*. In the year 1667. he was seized by a party at *Paisley*, because he would not discover where his father was; but, after many terrible threatnings of being shot to death, roasted at a fire, and some short confinement, he was dismissed at that time. In the 1677. he and others were summoned before a court at *Glasgow*, and, because he absconded, was intercommuned. Then he went abroad, and was in *Ireland* 1679. from whence he came to *Scotland* after the skirmish at *Drumclog*; and though he had occasion to be in company with some of the west-country army, yet he did not join them. After *Bothwell* his wife and family were turned out of their house and shop, while he, after concealing himself for some time, went

over

over to *Holland*. He came back this year, with a design to carry his family to *Roterdam*; but on the 12th of *November* was taken out of his bed at *Edinburgh* by major *Johnston*, and was carried to the guard at the *Abbey*, where Mr. *Skene* and *Archibald Stuart* were prisoners. Next day he was examined before the council concerning his opinion of the death of the archbishop, and his accession to *Drumclog* and *Bothwell*. As to the former, he said, He was in *Ireland* at that time, and knew nothing of it but by hearsay, and could not judge of other mens actions upon hearsay; that for himself, he would not have done it, and did not approve of it, and desired to be excused from going any farther; because he scrupled to condemn what he could not approve, since there might be a righteous judgment of God where there was a sinful hand of man, and he might admire and adore the one, while he trembled at the other. As to *Drumclog*, he declared he was then in *Ireland*, where he first received the account of it; but did not think it rebellion, since he owned the freedom of preaching the gospel, and heard that what they did was only in self-defence. He farther owned, That, upon his return from *Ireland*, he had occasion to go through part of the *west-country* army, but did not join them; and said, That he would not call that rising rebellion, since he thought it was a providential necessity put upon them for their own safety after *Drumclog*. He refused to subscribe his confession.

1680.

His examination.

The council pretending that there was a plot carrying on by Mr. *Cargill*, Mr. *MacWard*, and others, for murdering the king, subverting the government, and that Mr. *Spreul* and *Robert Hamilton* were accessary to it, made an act on the 13th of *November*, ordering them to be examined by torture as to these things, and empowered the earls of *Argyll*, *Linlithgow*, &c. as a committee to examine them. But the reader may be assured that there was nothing in this plot unless in their own imaginations: However, it was proper that they should have something to say. The duke of *York* was pleased to gratify his eyes with this delightful scene, and so he honoured Mr. *Spreul* with his royal presence. The poor gentleman told them he could say no more than he had said before the council, &c. but there was no help for him. The hangman put his foot into the instrument called the *boot*, and, at every question, gave about

Is put to the torture.

1680. about five strokes on the wedges. The queries were, *Whether he knew any thing of a plot to blow up the Abbey and the duke of York? Who was in the plot? Where was Mr. Cargill?* To all which he declared his absolute ignorance. When nothing could be discovered, they ordered the old *boot* to be brought, and made him undergo the torture a second time. He still adhered to what he formerly said. *Dalziel* complained that the hangman did not strike hard enough, and was therefore offered the maul by the executioner to do it himself. When the torture was over, he was carried to prison on a soldier's back; but was refused the benefit of a surgeon, and the pleasure of seeing his wife. However, he recovered, and I shall have occasion to speak more of him afterwards.

Mr. Skene before the council. What passed at the examination of Mr. Skene is related in a letter from himself to his brother, recorded in the *Cloud of witnesses*. He declared he was not at *Bothwell*; but that he owned the *SANQUHAR* declaration, and the testimony of *Rutherglen*, and disowned the king's authority so far as it was against the COVENANTS and interest of Christ. *Archibald Stuart*, *John Spreul*, of whom I have now spoke, and *Marion Harvey* a servant-maid in *Borrowstounness*, were likewise before them.

On the 15th the commissioners reported that they had examined *Archibald Stuart* by torture. They were ordered to be further examined, and advocates were, on the 18th, appointed to plead for Mr. Skene, who was brought before the justiciary on the 22d, and condemned to be hanged on the 24th, and his head to be afterwards severed from his body; but the last part of his sentence was dispensed with, and he was reprieved till the first of *December*.

John Potter, &c. condemned.

Mean while *John Potter* farmer in *Uphall* in *West-Lothian*, and *Archibald Stuart* in *Borrowstounness* (the latter was at *Airsmoss*, but the former had not been in arms) were both before the justiciary, and condemned to be hanged on the first of *December*, along with Mr. Skene. Their testimonies are all in the *Cloud of witnesses*.

Mr. Skene.

Mr. Skene, in his last testimony, after having laid his blood on his persecutors, declared against receiving the duke of *York*, and against every thing that had been done against the covenants and the work of reformation, and concluded his testimony much in the same strain with Mr. *Hugh MacKail*.

Archibald

Archibald Stuart was reported to have said, that he 1680. would kill the king or any of his council; but in his last testimony he says, 'However I and that suffering Arch. remnant be mistaken, in that they give out in their de- Stuart.claration, That I said *I would kill the king or any of his council*, it is an untruth and forged calumny, to reproach the ways of God, more like themselves and their own principles, who have killed so many of the people of God, both in the fields and upon scaffolds, and us among the rest, to please that bloody tyrant *Charles Stuart's BROTHER*,—and to make men believe that we have been contriving a plot to murder them, &c.' On the scaffold he sung *Psal. ii.* and read *Mal. iii.* but when in prayer he began to say, 'O Lord, what wilt thou do with this generation? What wilt thou do with bloody CHARLES STUART?' immediately the drums were beat.

John Potter's testimony is large and particular; but, John when speaking of the enemies of God, and the perse- Potter. cutors of his people, he said, among other things, 'I pray that the Lord would open your eyes, that you may see your sins, turn from them, and live. I forgive all men the wrongs they have done or can do to me. But for the wrongs done to Christ, in robbing him of his right over his church and people, I know vengeance belongs to God, and he will repay them; therefore I leave them under process ay and while they repent. And now I begin to enjoy him *who is invisible*, ' &c.

While these acts of severity were carrying on in Scot- Exclusion land, the parliament of England met on the 21st of Oc- bill, tober, and on the 26th lord *Russel* moved that they Rapin. might, in the first place, take into consideration how to suppress *popery* and prevent a *popish* successor. He was seconded by Sir *Henry Capel* brother to the earl of *Essex*. And, after several warm debates, it was resolved that a bill be brought in to disable the duke of *York* to inherit the imperial crown of this realm; and, after a great deal of reasoning *pro* and *con*, the *exclusion-bill* passed the house by a great majority. *William lord Russel*, attended by the lord *Cavendish*, Sir *Henry Capel*, and almost the whole house of commons, carried the bill to the house of lords, where it miscarried by a superiority of 63 against 30. Bishop *Burnet* says, all the bishops mis- voted against it. *Rapin* says, That eleven of them vot- ried.

1680. ed against it, and three for it, who, according to my author, were the bishops of *Chester, Exeter and London*. When the news of the rejecting of this bill came to *Edinburgh*, the chancellor proposed to make publick rejoicings there, but the duke of *York* declined this for the present. Thus a brave attempt for supporting the protestant interest was at this time frustrated; but providence had another method for accomplishing this great design.

Mr. Carstairs. On the 20th the reverend Mr. *John Carstairs, William Johnsson* and *Joseph Brody* merchants in *Edinburgh*, were brought before the committee on account of some papers found with Mr. *Skene*. Mr. *Carstairs* owned the king's authority, and disclaimed the principles of Mr. *Cargill*; but, at the same time, protested against *Pater-son* bishop of *Edinburgh* sitting in civil judicatories, refused him his titles, and called him only Mr. *Pater-son*, which the bishop resented, and promised to make a return if ever it lay in his power.

Proclamation against Mr. Cargill's followers. On the 22d a very long and severe proclamation was published against Mr. *Cargill* and his followers, wherein the king's great care for preserving the protestant religion was mightily cried up, [witness his supporting his brother's succession, &c.] the followers of Mr. *Cargill* were accused of the heinous crimes of rebellion, treason, murder, assassination, and carrying on a plot for killing the king, the duke of *York*, the councillors, bishops, &c. and the testimonies emitted by the sufferers, together with the *Torwood* excommunication, were all aggravated to the last degree; and therefore all the subjects were required to treat the plotters, &c. as rebels, &c. to apprehend them, &c. and for their encouragement a reward of 5000 merks was promised for apprehending Mr. *Cargill*, 3000 merks for Mr. *Douglass*, and 1000 merks for each of the rest of the conspirators, &c. The council sent up a copy of this proclamation to court, and gave his majesty an account of these things. That some had renounced their allegiance to king *Charles* is certain; but that any of their declarations encourage or assert the lawfulness of murders, assassinations, and the like, is false; and it was equally false that any plot was carried on among them for killing the king, his brother, &c. When Mr. *Skene* was examined before a committee of the council, and was asked if he thought it duty to kill the king, he answered,

swered, That he had stated himself an enemy to God's 1680.
interest, and there was war declared against him. This
no doubt would be improved by the managers. We
shall find that Mr. Skene was not alone in this matter.
How far, all things considered, he is to be vindicated,
I must leave with the reader. But though, in some
things, these martyrs for Christ may not have expressed
themselves in such happy expressions as could be wish-
ed, yet the injustice, cruelty and tyranny of their per-
secutors cannot fail to leave a blot on their memory
while the world lasts. Besides, it is certain, that all
they intended by its being lawful to *kill the king*, &c.
was in *their own defence*.

On the 8th of December Mr. Riddel was examined Mr.
a second time before the committee, and acknowledged Riddel's
the king's authority, and condemned those who did *second ex-*
not, but refused to engage not to preach in the fields, *amination,*
as before. And when the justice-clerk said, Will you
say that you resolve not to preach in the fields as long
as matters continue as they are? His answer was, Re-
ally, my lord, I am afraid to say or do any thing that
has the appearance of a straiter hedge about the exer-
cise of my ministry than Jesus Christ has drawn before
me. And when asked his opinion about the bishop's
death, he said, If private persons were allowed to go
out of their station, to kill men at their pleasure, no
man could be sure of his life. He was again sent to
prison.

Next day the advocate was ordered to prosecute *Geo. Orders to*
Johnston, James Stuart, Geo. White and Will. Dick pri- prosecute.
soners, for being at the *Torwood* meeting; but, because
Christian Spence, Sarah Spence and Janet Smith were on-
ly poor and ignorant, they were set at liberty, and
threatned with being scourged if ever they were found
at *conventicles*. About this time *Geo. Piper of Aberdeen*,
having been a prisoner for supposed correspondence with
Mr. Skene and Mr. Cargill, was set at liberty, since no
such thing could be made appear.

On the 16th garrisons were appointed to be kept in Garri-
the houses of *Kenmuir and Freugh*, and in the castle of *sons.*
Dumfries; and on the 23d the council wrote to the
secretary *Murray* to procure a pardon for *Will. Gordon*
of *Culvennan* who had been in the rebellion.

On the 25th of December some of the students in *The pope*
the college of *Edinburgh* brought to the head of the *burnt in;*
Vol. II. L *Cow-figy.*

1680. *Cowgate* the effigy of the POPE in his robes, with his keys, mitre and triple crown; and, when they had excommunicated him, they carried him about in a chair, like that wherein he is elected at *Rome*, to the foot of the *Black-friers* wynd. The students, knowing the thing had taken air, gave out that they were to carry his holiness in procession to the *Grass-market*, the place of the execution of criminals; whereupon the guards marched thither. Mean while the boys marched in procession by the *Black-friers* wynd to the *High-street*, three of them going before with lighted torches. Being come thither they condemned his holiness to be burnt: Accordingly the torchmen blew up the effigy with gunpowder, notwithstanding their being attacked by some soldiers commanded by *Linlithgow* and his son; whom they warned to beware whom he struck, since he had relations among them.

Mr.
George
Ridpath
banished.

Mr. *G. Ridpath*, having been very active in projecting this affair, was taken up the day before it was to be put in execution, and great search was made for the effigy, but in vain. Next day several gentlemens sons were called before the council, and particularly examined whether any *presbyterian* gentlemen or ministers did contrive, assist, or direct them; who all declared there was none. The chancellor treated them civilly; but the *bishops* endeavoured to ensnare them with questions about their conformity. However, being unable to obtain any advantage, they were dismissed for that day. Only Mr. *Ridpath*, then entering on the study of philosophy, was very ill used by Sir *William Paterson* and the council's servants, some of whom beat him and tore his hair. And for this, and no other reason, he was banished his native country.

Students
of Glas-
gow.

About this time the same spirit was working at *Glasgow*, though in a different manner; for the students there wore coloured ribbons to distinguish themselves from *papists*, for which several of their leaders, and particularly the marquis of *Annandale*, then a student, were called before the masters and the archbishop. *Annandale* defended himself and his fellow-students with spirit and resolution; and calling the archbishop only Sir, Mr. *Nicholson* his regent reproved him, saying, *William*, you do not understand whom you speak to, he is a greater person than yourself. *Annandale* replied, I know the king has been pleased to make him a *spiritual lord*, but

but I know likeways that the *piper of Arbroth's* son and my father's son are not to be compared. This spirit that shewed itself in the *students* could not but chagrin his royal *highness*; and what the consequence of it was shall be related in

CHAP. V.

Of the executions of Isobel Alison, Marion Harvie, Mr. Cargill, and others; of the followers of John Gib; the sufferings of heritors, &c. and other things to the session of parliament.

THE duke of York's being now in Scotland sharpened the edge of the persecution; so that no less than 20 were executed in the course of this year 1681. The sufferers had, it is true, declared against the king's authority, for which many of them were hanged, and otherways persecuted by their enemies, and censured by their friends. They branded them as *madmen, enemies to government and civil society*; but it is very plain that they never opposed government or monarchy as such, but only wicked, perjured and persecuting governors. These they did oppose, and that for the very same reasons that brought about the revolution and the protestant succession. I cannot express this better than in the words of the author of the *Memoirs of the church of Scotland*, when speaking of the *Torwood excommunication*. Says he, 'I desire the impartial reader to compare it with the memorials above mentioned, [to wit, the memorial to the prince of Orange from the people of Great-Britain, to invite him to come to their assistance] and see if it be possible for any British protestant, who owns the justice of the revolution, to reflect upon the zeal of these people, without blushing for himself and the whole nation, that they did not see and abhor the tyranny of those reigns sooner; then they had joined with those people instead of censuring their zeal; the revolution had then been brought about without sovereign help at all; the prince of Orange had then been called over, as peaceably as king GEORGE, to take possession of the crown; and the blood of near 20,000 people, who were one way or other murdered and destroyed by that now abdicated race

1681. race of tyrants, had been saved. What a shame is it, *says he*, to us, and how much to the honour of these persecuted people, that THEY could thus see the treachery and tyranny of those reigns, when we saw it not; or rather, that they had so much *honesty of principle*, and obeyed so strictly the dictates of conscience, as to bear their testimony early, pably, and gloriously to the truth of God and the rights of their country, both civil and religious, while we all, though seeing the same things,——yet betrayed the cause of liberty and religion, by a sinful silence and a dreadful cowardice.

But suppose, through the treatment, the unaccountable treatment they met with, they had gone a little beyond due bounds, and though sometimes their expressions were not so well chosen, can that either condemn the principles of religion and liberty upon which they acted, nay, or their actual disowning those tyrants, who, for nothing but the matters of their God and Saviour, had declared them outlaws, rebels and traitors? Besides, the blood of many was shed, against whom they could prove nothing, but what they extorted from them by their ensnaring questions. Nay, even some of the *weaker sex* were hanged or drowned on this score. But I shall relate the matters of fact as they happened in the order of time.

The provost's house burnt.

It was a dreadful affront to the duke of York to find his HOLINESS treated in such a manner, on *that grand festival* the 25th of December; and therefore the sycophant managers must not overlook such an indignity. Accordingly, on the 4th of January, the masters of the college declared their abhorrence of what their scholars had done; and, on the 6th, the council commanded the magistrates to order the college gates to be shut, and the classes to be dissolved. About this time several of the students were imprisoned, besides Mr. *Ridpath*, which so exasperated the rest, that, it is said, they threatened to burn the provost's house at *Priestfield*, because the magistrates, who were patrons of the college, instead of protecting them, had acted violently against them; and in a few days the house of *Priestfield* was burnt. Whereupon the council, on the 17th, issued a proclamation, offering 2000 merks, and a remission, to any who should discover the actors: But it does not appear that any discovery was made; nay, my author says,

says, that some wanted not their jealousies that this 1681.
house was burnt by others, with a view to bring an
odium on people who were noways concerned. The
author of a pamphlet now before me, intitled, *A brief
and true account of the sufferings of the church of Scotland,*
&c. printed at London 1690. says, ' That they, viz. p. 23.
the managers, first alledged that the students threatned
to burn the provost's house, because he, like a block-
head, had suffered the king's soldiers to enter the city,
contrary to his own oath and the town's privileges, to
prevent the burning of the POPE; and, when they had
buzzed about this supposed threatning, they burnt it
themselves, and charged the students with it, to make them
odious, and find occasion of dissolving the university,
which they did for some time; and though the said stu-
dents offered to come to any legal trial for their vin- p. 24.
dication, it was never accepted, because the council
knew it could be proved that some of the duke's livery
were seen come from the house just as it took fire, and
that a barrel of powder having the castle mark upon it,
which it was not possible for any to come at but from
the king's ammunition, was found in the park near the
said house.' Neither does it appear that ever any was
brought to a trial for this.

The order of time leads me to the case of *Isobel Alison* ^{Isobel}
and *Marion Harvey*, two young women, who were exe- ^{Alison}
cuted this month, to the perpetual disgrace of the bloody ^{and Ma-}
managers, who could have no acts of what they called ^{Harvey.}
rebellion, in the least, to lay to their charge. When
they were taken, I know not. *Isobel Alison* was appre-
hended at *Perth*, where she lived, only for speaking a-
gainst the severity used to sundry good people there; for
they could accuse her of nothing else. *Marion Harvey*
was seized while going one day from *Edinburgh* to
hear sermon in the fields, and was last year before the
council. But though they had nothing against these two
young women, they were resolved to shed their blood;
and therefore upon what they owned at their examinati-
on they founded their indictment, and took away their
lives. That the reader may have a specimen of the in-
justice of this period, that afterwards became common,
I shall here insert the substance of their examination,
first before the council, and next before the lords of
justiciary,

When

1681. When *Isobel Alifon* was before the council, she was interrogated as follows : *Question*. Where did you live ? *Isobel Alifon's* At *St. Johnstoun* ? *Answer*. Yes. *Q.* What was your occupation ? No answer. *Q.* by the bishop of *Edinburgh*. Have you conversed with *Mr. Donald Cargill* ? *A.* Sir, you seem to be a man whom I have no clearness to speak to. She said to another, who asked the same Cloud of question, I have seen him, and wish I had seen him soon-witnesses, er. *Q.* Do you own what he has done against the civil magistrate ? *A.* I do own it. *Q.* Can you read the bible ? *A.* Yes. *Q.* Do you know the duty we owe to the civil magistrate ? *A.* When the magistrate carrieth the sword for God, according to what the scripture calls for, we owe him all due reverence ; but when they overturn the work of God, and set themselves in opposition to him, it is the duty of his servants to execute his laws and ordinances on them. *Q.* Do you own the *Sanquhar* declaration ? *A.* I do own it. *Q.* Do you own the papers taken at the *Queens-ferry* on *Henry Hall* ? *A.* You need not question that. *Q.* Have you conversed with rebels ? *A.* I never conversed with rebels. *Q.* Did you know *Mr. Skene* ? *A.* I never saw him. *Q.* Did you converse with *David Hackstoun* ? *A.* I did converse with him, and I bless the Lord that ever I saw him ; for I never saw ought in him but a godly pious youth. *Q.* Was the killing of the *Bishop* of *St. Andrews* a pious act ? *A.* I never heard him say that he killed him ; but, if God moved any to execute his righteous judgments upon him, I have nothing to say to that. After some other questions, they asked, Did you know the two *Henderfons* that murdered the lord *St. Andrews* ? *A.* I never knew any lord *St. Andrews*. *Q.* *Mr. James Sharp*, if you call him so ? *A.* I never thought it murder ; but, if God moved and stirred them up to execute his righteous judgment upon him, I have nothing to say to that. *Q.* Will you own all you have said ; for you will be put to own it in the *Grass-market* ? We bemoan you in putting your life in hazard in such a quarrel. *A.* I think my life little enough in the quarrel of owning my Lord and master's sweet truths ; for he hath freed me from everlasting wrath, and redeemed my soul ; and as for my body, it is at his disposal. There were some other questions, but, as they were much to the same purpose as those above, I omit them.

Marion

Marion Harvey's examination before the council was 1681. upon the same points with that of her fellow-sufferer, and therefore I must refer the reader for the particulars to the *Cloud of witnesses*. Only, among other things, they said, Will you cast away yourself so? To which she replied, I love my life as well as any of you, but would not redeem it upon sinful terms. They said, The rock, the cod and bobbins were as fit for her to meddle with as these things. They offered her the assistance of ministers, but she would have none of their providing.

Marion Harvey's examination, Ibid. p. 103.

On the 17th of *January* they were brought before the lords of *justiciary*; for it was the constant practice at this time, the one day to bring such as fell into their hands before the council, and there, by ensnaring questions, to bring them into a confession of such things as they accounted treason, and next day to prosecute them before the criminal court. These two women were accused for hearing at *field-conventicles*, harbouring messrs. *Cargill, Cameron, &c.* owning the *Rutherglen* and *Sanquhar* declarations, &c.

before the justiciary.

When *Isobel Alison* was before them, she was examined as follows: *Q.* Do you abide by what you said the last day? *A.* I am not to deny any thing of it. She owned she had conversed with *David Hackstoun*, and disowned their authority. *Q.* Do you disown us and the king's authority in us? *A.* I disown you all, because you carry the sword against God, and not for him, and have, these nineteen or twenty years, made it your work to dethrone him, by swearing, year after year, against him and his work, and assuming that power to a human creature which is due to him alone, and have rent the members from their head Christ.—*Q.* When saw ye the two *Hendersons* and *John Balfour*? Seeing you love ingenuity, will you be ingenuous and tell us, did you see them since the death of the bishop? *A.* They appeared publickly within the land since. *Q.* Did you converse with them within these twelve months? She was silent; but, upon being urged to say either *yes* or *no*, she answered, *Yes*. Then they said, *Your blood be on your own head*, we shall be free of it. She answered, *So said PILATE*, but it is a question if it was so; and ye have nothing to say against me, but for owning of Christ's truths and his persecuted members. They made no reply, but desired her to subscribe what she had owned, and, upon her refusing, did it for her.

Isobel Alison, Ibid. p. 94 95.

Marion

1681. *Marion Harvey*, before the justiciary, owned the *Sanguhar* declaration, &c. and then protested that they had nothing to say against her as to matter of fact; but only that she owned Christ and his truth, his persecuted gospel and members; of which she said, Ye have hanged some, others you have beheaded and quartered quick. To this they said nothing; but called those who were to sit on the jury, who appeared with reluctance. One of them said, He did not desire to be engaged in this matter; but he was obliged: Then he desired that the confessions of the two prisoners might be read, because he knew not what they had to say against them. When he was ordered to hold up his hand and swear, he fell a trembling. The jury being fixed, the confessions were read, and the advocate, in a speech, aggravated every particular, in order to prove them guilty of treason. Some of the jury urged that there was *no fact* proved against them. The advocate said, But treason is fact; and taking himself again, he said, It is true, it is only treason in their judgment, but go on according to our law; and if you will not do it, I will proceed. The jury brought them in guilty on their own confession; however, the passing of the sentence was deferred till the 21st, when they were both condemned to be hanged at the *Grass-market* on the 26th.

Orders to
coffee-
houses.

Mean while, on the 20th, the council enlarged the powers of the laird of *Meldrum* for apprehending those who were in the rebellion. The many searches which were made in consequence of this were most oppressive. The same day the magistrates of *Edinburgh* were ordered to call all the masters of coffee-houses before them, and oblige them to come under a bond of 5000 merks, to suffer no news-paper be read in their houses, but such as are approved of by the officers of state.

Hardships
on the
students.

Next day all the students of the college of *Edinburgh* were ordered to retire 15 miles from that place, within 24 hours, and not to come within these bounds without leave from the council, under the pain of being treated as seditious persons. A fine protestant government, to make such a splutter about burning the pope! But it was decent to compliment his royal highness the DUKE!

Marion
Harvey
and Isobel
Alison
executed.

On the 26th *Isobel Alison* and *Marion Harvey* were executed according to their sentence. The reader will find what passed between them and Mr. *Riddel* in the *Cloud of witnesses*, together with their respective testimonies.

nies. When they were brought from the prison to the council-house, in order to be carried from thence to the place of execution, *Marion Harvey* said, with a surprising chearfulness and heavenly transport, *Behold I hear my beloved saying unto me, Arise, my love, my fair, and come away.* When in the council-house, *Paterfon* bishop of *Edinburgh* (such was the spirit of the man!) said, *Marion*, you said you never would hear a *curate*, now you shall be forced to hear one; and immediately ordered one of his suffragans, whom he had prepared for the purpose, to pray. When he began, she said to her fellow-prisoner, *Come, Isobel, let us sing the 23d Psalm*; which they did, and thereby drowned the *curate's* voice, and confounded their persecutors.

Their behaviour on the scaffold is not to be omitted. *Isobel* having sung the 84th *Psalm*, and read *Mark xvi.* cried over the scaffold, and said, *Rejoice in the Lord, ye righteous; and again, I say, rejoice.* She was not suffered to pray till she came to the foot of the ladder. As she went up, she cried out, 'O be zealous, Sirs, be zealous, be zealous! O love the Lord, all ye his servants! O love him; for in his favour is life.' And added, 'O ye his enemies, what will ye do? Whether will ye flee in that day? for now there is a dreadful day coming on all the enemies of Jesus Christ. Come out from among them, all ye that are the Lord's people.' Then she concluded, 'Farewel all created comforts! Farewel sweet bible in which I delighted most, and which has been sweet to me since I came to prison! Farewel christian acquaintances. Now into thy hands I commit my spirit, Father, Son, and Holy Ghost.' Then the executioner threw her over.

Marion Harvey likewise sung *Psal. lxxxiv.* and having read *Mal. iii.* she said, 'I am come here to day for avowing Christ to be head of his church and king in *Zion*. O seek him, Sirs, seek him, and ye shall find him: I sought him, and I found him; I held him, and would not let him go.' Then she rehearsed briefly the heads of her written testimony. Going up the ladder she said, *O my fair one, my lovely one, come away.* And, sitting down on the ladder, she said, 'I am not come here for murder; for they have no matter of fact to charge me with; but only my judgment. I am about 20 years of age: At 14 or 15 I was a hearer of the *curates* and *indulged*; and while I was a hearer of these, I

1681. was a blasphemer and sabbath-breaker, and a chapter of the bible was a burden to me; but since I heard this persecuted gospel, I durst not blaspheme nor break the sabbath, and the bible became my delight. Upon this the commanding officer called to the executioner to throw her over, which he did accordingly.

On the 31 of January, *Thomas Turnbull* of *Standhill*, and *Walter Turnbull* of *Bewly*, were forfeited in absence, by the justice-court, for being in arms at *Bothwell*. Next day the council made an act, ordering all the students to take the oath of allegiance, and prohibiting the masters to receive any except on these terms. But the duke of *York* having moved in council, a few days thereafter, that, considering the youth of many of the students, the tendering of the oath might be delayed till they came to the fourth class, this was complied with. His royal highness, to render himself the more popular, made a progress, this month, to *Linlithgow* and *Stirling*.

On the 16th the process of forfeiture against *Alexander Hamilton* of *Kinkell* was dropt, for his estate was so reduced that it was not worth seeking after.

J. Spreul. On the 2d of March *John Spreul* apothecary in *Glasgow* was indicted before the justiciary for treason and rebellion; but the matter was put off till June. The same day *John Murray* in *Borrowstounness*, and *Christopher Miller* weaver in *Gargunnoch*, were indicted in common form. Their confessions, which they made at their examination, were much the same with those of others. Both were brought in guilty, and ordered to be hanged in the *Grass-market* on the 11th instant. On the 8th of March, *William Gowgar* in *Borrowstounness*, and *Robert Sangster* a *Stirling-shire* man, received the same sentence upon the like confession.

J. Murray pardoned. *John Murray* was, by the council, recommended to the king's clemency, as being rather misled than malicious. The other three were executed time and place foresaid. Their joint testimony, which is in the *Cloud of witnesses*, is directed, by way of address, to the shire of *Stirling*. The compilers of that collection have omitted their particular testimonies, because they supposed them vitiated by *John Gib*, or some who were tainted with his errors, of which we shall give some account. Nay, they tell us, that *C. Miller* and *R. Sangster* were suspected to be in some danger from these errors. It is remarkable, that *William Gowgar* having had a little paper in his bible, which he

he designed to throw over the scaffold; but, when taken to the council-house with his fellow-sufferers, it some way or another fell into the hands of the persecutors, who, having read it, commanded the executioner to ty him harder than ordinary, so that he could scarce go up the ladder; and afterwards they would not permit him to pray. When he began to speak on the ladder, and say, *I am come here for owning Christ to be head and king in Zion*, the drums were immediately beat. Then they pretended that they would offer him his life on condition he would own the king; but he replied, *I will own none but Christ to be king in Zion*. Then they said, Will you not retract any thing, Sir? He answered, *No, no; I own all, I adhere to all*. Upon which they immediately called to the executioner to throw him over, which he presently did, not suffering him to recommend his spirit to God.

On the 19th of *March*, *Thomas Kennoway*, an officer in the guards, came with a party to the parish of *Livingston* in *West-Lothian*, with pretended orders to apprehend all who had been at *Bothwell*. After he had got all the informations he could, he sent two parties, with lists of those whom they were to apprehend, late on *Saturday* night. He spent the Lord's day in drinking and carousing, and threatned to oblige the prisoners he had taken to defray the charges. On *Monday* he held a court, and forced the country people to come and swear as to their receiving or conversing with those whom they called *rebels*; which shews the hardships the country people were made to suffer.

The southern shires were at this time dreadfully oppressed with these military courts. Soldiers were sent through parishes to act as they pleased, and their officers appointed courts in such places as they had a mind. Thus cornet *Graham* held a court in *Dalry*, about the beginning of this year, to which all men and women above 16 years of age were summoned, to declare upon oath, and sometimes under very odd and strange imprecations, whether they had ever been at *field-meetings*, or countenanced any who frequented them, &c. They obliged them likewise to swear, with the same dreadful imprecations, what they knew of their neighbours or others in the parish. Courts of the same nature were held, by that wretch *Grierson* of *Lagg*, at *Dumfries* and *Kirkcudbright*. It is easy for the reader to make proper observations

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Kennoway's severities.

Military courts.

1681. vations on these proceedings so inconsistent with legal government.

Process of forfeiture. Many heritors at this time suffered much. For, on the 18th and 21st of March, great numbers were before the justiciary, particularly *John Williamson* son to *Joseph Williamson* in *Holl*, *John Spreul* younger writer in *Glasgow*, *James Walker* younger of *Hacketburn*, *William Tweeddale* late bailie of *Lanerk*, and *Hugh Weir* merchant there, were, in order to have the benefit of the indemnity, obliged to resign all lands and heritages to which they had a right before the said *act of grace*, and then were dismissed: But the far greater number, who were charged as guilty of the rebellion at *Bothwell*, were prosecuted in absence, forfeited in common form, and ordered to be executed whenever apprehended. Their names are these: *David White*, *Gideon Weir*, *David Gibson*, *John Wilson*, *Mr. Thomas Pillans*, *James Lawrie*, *Archibald Simpson*, *Thomas Lauchlan*, *William Ferguson*, *John Semple*, *Thomas Inglis*, *Alexander Anderson*, *John Pumphray*, *Robert Goodwine*, *James Cuninghame*, *Isaac Blackwell* son to *Thomas Blackwell*, all in *Glasgow*; *John Jack* in *Neruplair*, *William Padzean* in *Lanerk*, *Robert Lockhart* of *Birkhill*, *James Weir* of *Johnshilp*, *John Steil* in *Over-water-head*, *John Haddow* and *James White* in *Douglas*, *William Falconer* and *A. TACKET* in *Hamilton*, *Gavin Wotherspoon* of *Heathrie-know*, *John Eastoun* of *Quarryneen*, *William Riddel* in *Rutherglen*, *Robert Fleming* in *Auchinfin*, *John Hamilton* in *Rogertoun*, *Thomas Craig* in *Jacktoun*, *John Miller* in *Longcalderwood*, *John Wilson* of *Highfleet*, *Robert Steven* of *Newland*, *John Steil* of *Windhill*, *John Cochran* of *Craigie*, *James Dykes* of *Halburn*, *John Carduff* in *Jacktoun*, *Thomas Paton* at *Cambusnethan*, *John Whytlaw* and *John Paterson* at *Bothwellshiel*, *John White* of *Newk*, *Thomas Lin* of *Blairachin*, *John Waddel* of *Chisdale*, *John Clyde* in *Kilbride*, all in the shire of *Lanerk*. The most that was proved against these persons was *converse* with some who had been concerned in the rising, which was not possible for them to avoid.

James Gray of *Chrystoun* was brought before the justiciary for alledged accession to *Bothwell*, and acquitted. This gentleman had sustained prodigious losses, and endured many hardships during

during some preceeding years. And, though he was now acquitted, yet his troubles were not at an end; for his known aversion to *prelacy* laid him open to the insatiable resentments of the *orthodox clergy*, at whose instigation his house was pillaged by the soldiers. Their rudeness was such, that his family was forced to quit the house, except his wife, who stayed in one of the rooms with a young girl that attended her. Mean while captain *Strachan's* men continued three months about the house, consuming his substance; and in the beginning of next year he was seized, as we shall relate in its proper place.

On the 3d of *April* a paper was affixed to the church of *Kettle* disowning the king's authority; but, as it contained several things disagreeable to the sentiments of the followers of *Mr. Cargill*, I shall say no more of it.

On the 5th there was a process against such of the heritors of *Ayr-shire* who were alledged to have been concerned at *Bothwell*, and these following were forfeited in life and fortune, viz. *Gilbert MacIlwraith* of *Dummorchie*, *Thomas MacJarow* of *Bar*, *John MacJarow* of *Penjarow*, *Henry MacJarow* of *Anthalbanie*, *George MacLur* of *Bennam*, *Hugh MacIlwraith* of *Auchinflour*, *John Alexander* of *Drum-mochrian*, — *MacMichen* of *Killentrian*, *Allan Bow* of *Drumbog*. The same day the court dropt the process against *Robert Fullerton* of *Bennels*, *Robert Nisbet* of *Greenholm*, — *Kennedy* younger of *Glenour*, and *James Aird* younger of *Miltoun*, who appeared at the bar, and offered to stand trial: For it is to be observed, that, in both these processes, sentence was pronounced only against *absents*, for few of the heritors that appeared to stand trial were found guilty; and it was easy to find those guilty who were not present to answer for themselves, which was generally the case.

Mr. Aird, whose sufferings before this time were not small, notwithstanding his being set at liberty, was not exempted from farther hardships, for he was obliged to agree with the laird of *Broich*, who got a gift of his moveable effects, and to give him 1000 merks. His charges before the justiciary amounted to 300 merks. A few weeks after this parties were sent in quest of him, so that he was obliged to ly for the space of 42 nights

1681. nights in the open fields, and for several years to keep out of the way. Many times his house was rifled by the soldiers. However, he survived his troubles, and enjoyed his religious liberty and property for many years after the revolution.

Mr.
Riddel
sent to
the Bais.

On the 6th the council suffered Mr. *Riddel* to go and see his dying mother, upon condition of returning to his confinement by the 25th; but, being afterwards charged with breaking his confinement, keeping conventicles, and baptizing children, he was ordered to the *Bais*, where he continued for three years.

Mr. J.
Blackad-
der ap-
prehended.

The same day the reverend Mr. *J. Blackadder* was apprehended by major *Johnston*, and was brought in prisoner before a committee of the council, consisting of the chancellor, the general, the advocate, and bishop *Paterfon*, where he owned he was a *presbyterian* minister, and had been ordained to *Traquair* 1653. He was examined upon several things; some of which were these: *Chan.* Did you *excommunicate* the king, or was you at *Torwood*? *A.* I was not at *Torwood* these four years. *Ch.* But do you approve of what was done there? *A.* I am not free to declare my inward sentiments and opinions of things and persons, and therefore I humbly beg to be excused; you may form a libel against me, and I shall endeavour to answer it as I can. When he continued to decline giving an answer, the chancellor said, But do you approve of shedding the king's blood, and damning him in soul and body? *A.* I do not, and no good man will. *Ch.* You have done yourself a favour in saying so; but we hear you keep *conventicles* since the indemnity. *A.* My lord, I am a minister of the gospel, though unworthy, and under the strictest obligations to exercise my ministry, as I shall be answerable at the great day. I did, and do still count it my duty to exercise my ministry, as I am called thereunto. *Ch.* But you have preached in the fields, that is to say, on muirs and hill-sides. I shall not ask if you have preached in houses, though there is no liberty even for that. *A.* I place no case of conscience, nor make any difference between preaching in houses and the fields, but as it may best serve the conveniency of the hearers; nor know I any restriction as to either in the word. My commission reaches to houses and fields, within and without doors. *Ch.* No doubt you know and have

have seen the laws discharging such preaching. *A.* My lord, I have, and am sorry that ever any laws were made against *preaching the gospel*. *Ch.* Not against the gospel, but *sedition and rebellion*. *A.* I preach no *sedition and rebellion*. The advocate came to him, and said, He was sorry he was on the reserve as to the *excommunication*. He answered, He was noways straitned as to *that*, but he thought he was only obliged to speak of facts relating to himself. The council sat in the afternoon, and ordered him to be sent to the *Bass*, where he continued till the day of his death, which was about five years thereafter, when he entered into the *joy of his Lord*. I shall only observe concerning this eminent person, that, the last time he preached in publick, he lectured upon *Micah iv.* from ver. 9. where, among many other things, he said, 'That the nearer the deliverance, our pains and showers would come thicker and forer upon us; and that we had been in the fields, but, ere we were delivered, we should go down to *Babylon*; that either *papery* would overspread this land, or would be at the breaking in upon us like an inundation of waters.'

On the 8th of *April* a new and severe proclamation was issued against *conventicles*, though the faithful *Mr. Cargill* was the only person who now ventured to preach in the fields; and in a very little that light was put out, as we shall relate.

About this time the blasphemies of *John Gib*, a sailor at *Borrowstounness*, made a great noise: For what can be expected from bearing down the gospel but the breaking in of a flood of errors? And I cannot but agree with my author, that it is surprising more were not led aside into gross delusions in such a period as this; for it is plain that it was but a remnant that stood firm, when the most part, through weakness, made too great compliances. However, *Gib* had but few that were drawn aside by him, *viz. David Jamie, Walter Ker, and John Young*, together with 26 women. These disowned communion with all who were not of their way, belched out curses and execrations upon them, and kept themselves in desert places from all company. They were called the *sweet fingers*, from their being much engaged in singing the mournful psalms, as *Psal. lxxiv, lxxix, lxxx, lxxxiii, cxxxvii*. In the beginning of this month they unanimously left their

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Followers
of Gib, or
the sweet
fingers.

1681. their houses, and retired to desert places, to be safe from the land's utter ruin and desolation. It would be to little purpose to give an account of all their extravagancies. They renounced the *psalms* in metre, the translation of the Old and New Testaments, because of its dedication to king JAMES. They rejected all authority throughout the world, from the tyrant CHARLES Stuart (I use their own words) to the smallest tyrant. They condemned the names of the months and of the days of the week. But, about the latter end of April, the *Gibbites* were all taken by a troop of dragoons, at the *Wollhill* crags, between *Lothian* and *Tweeddale*, and brought to *Edinburgh*. The four men were put into the *Canongate* prison, and the women into the *correction-house*; and, it is said, some of them were scourged. It appears, from the paper they gave in to the council on the first of May this year, that they burnt the *Psalms* in metre, &c. Before they were imprisoned Mr. *Cargill* was at no small pains to reclaim them. In short, Mr. *Cargill's* followers threw them out of their society, and none of the other *presbyterians* ever owned them. However, the duke of *York* and his party were secretly pleased with these extravagancies. They were soon released. Some time after the four men, with *Isobel Bonn* and another woman, went to a place called the *Frost-Moss*, where they burnt the bible, every one of them using expressions, at the committing of that horrid act, which I shall not insert. These mad delusions were prevented from spreading, and several of themselves were afterwards reclaimed. *James Gray* of *Chrystoun*, *James Sloss* and *James Baird*, were very useful in putting a stop to these delusions.

Chapmen and school-masters. On the 4th of May all chapmen were forbid to travel without a pass from the sheriff; and all school-masters in the parishes of indulged ministers were ordered to be removed, unless they had a licence from the bishop, lest the minds of the youth should be corrupted. The same day one Mr. *Alexander Symers*, having seen the errors of *prelacy* and forsaken it, was ordered to be prosecuted; but there is no more concerning him.

J. Pettigrew, &c. About this time *James Pettigrew*, *Alexander Smith*, and *Robert Russel*, all in the parish of *Cambusnethan*, were seized and carried in to *Edinburgh*. *James Pettigrew*

grew continued three months a prisoner, and paid 300 1681.
marks. He suffered considerable losses during the fol-
lowing years. *Alexander Smith* escaped in women's
clothes, but was afterwards taken and rescued. He
made his escape a third time from *Dunnoter*, but was
retaken 1687. and confined prisoner till the revolution.
Though these two were alledged to be concerned in
Bothwell, yet nothing could be laid to the charge of
the third, who was met on the road by a party of sol-
diers, and, refusing to answer their questions, or pray
for the king at their desire, was first threatned with
immediate death; but that practice not being as yet
common, they sent him in prisoner to *Edinburgh*, where
he lay near two years in irons.

On the 2d of *June* Mr. *J. Wardlaw* was denounced,
and *Lauderdale* was continued in the command of the
castle of *Edinburgh*. On the 8th a proclamation was
issued for the parliament to sit on the 28th of next
month. It was now nine years since there were any
parliaments in *Scotland*; and, though the king had no
reason to be displeased with *Scots* parliaments, yet, duke
Hamilton and others appearing in the last for the re-
drefs of grievances, it was soon dissolved. But his
majesty's beloved BROTHER was in *Scotland*, and, being
appointed commissioner, all things were expected to go
on smoothly.

The day after this proclamation new orders were *Garrisons*
given for garrisons in several houses in the west country,
particularly in the houses of *Sorn*, the castle of *Strath-*
aven, and the house of *Dean*. Duke *Hamilton* and the
earls of *Lowdown* and *Kilmarnock* were ordered to get
these houses ready.

On the said 10th of *June* *R. Fergusson* of *Letter-pin*
was indicted for *Bothwell*; but it seems the matter was
dropt.

The same day Mr. *Spreul* was brought before the Mr.
justiciary, and was indicted for treason and rebellion, *Spreul*
in corresponding and being present with the rebels at *Bothwell*, especially with Mr. *John Welsh* and Mr. *Samuel Arnot*, who are called *The bloody and sacrilegious*
murderers of the late archbishop of St. Andrews, though *before the*
these two ministers had no hand in that act. Sir *George*
Lockhart, Mr. *Walter Pringle*, Mr. *James Daes*, Mr.
Alexander Swinton, and Mr. *David Thoires*, were advo-
cates for the prisoner.

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At the beginning of the trial the advocate declared that, he used the prisoner's confession, when put to torture before the council, only as a mean of probation to adminiculate the other probation to be led, but doth not insist upon that confession at this time, either as a crime of itself, or a sufficient mean of probation, without being adminiculate, as said is. Mr. *Pringle* for the prisoner alledged, that he could not come under a new trial, having been examined by the council for the same crime, and been *tortured* two several times, and having still denied it; and consequently, by the law of this and all other nations, he ought not to be arraigned and condemned for that crime upon any new evidence. This occasioned a long debate, which I shall not trouble the reader with. He may see what was said *pro* and *con* in my author, *Vol. II. p. 166, &c.*

After this debate was over, the lords, by their *interlocutor*, found the indictment relevant, or that the things specified in it were treasonable, and referred the proof to the jury; and rejected the defence founded on the torture, because the council's commission did not warrant the prisoner to be questioned on the crimes specified in the indictment, and continued the action to the 13th, when Mr. *Pringle*, for the prisoner, alledged, that, notwithstanding the *interlocutor*, the defence ought to be sustained, and took instruments upon producing the commission; and Mr. *Thoirs* added, that the committee were sole judges of the pertinency of the interrogatories, and that the prisoner, having in torture denied the crimes laid to his charge, ought to be acquitted; and the jury acquitted Mr. *Spreul*, for they found no crime proved against him. Nevertheless the council remanded him to prison, alledging they had several other things against him, fined him in 500 *L. sterling* for being at *field-meetings*, and sent him to the *Bass*, where he continued for six years. *William Lin* writer in *Edinburgh* was fined in the like sum, and sent to the *Bass* along with him. One reason of this severity was, because, when the duke of York asked at Mr. *Spreul* in *March* last, *Sir, would you kill the king?* he directed himself to the chancellor, and said, *My lord, I bless God I am no papist; I lothe and abhor all those jesuitical and murdering principles; neither my parents, nor the ministers I heard, ever taught me such principles.*

On

On the 15th *Francis Borthwick*, second son to *James Borthwick of Harelaw*, was declared to be an outlaw and fugitive, because he had apostatized from christianity, embraced judaism, and had been circumcised, and blasphemed the Lord Jesus Christ. This my author thinks was the only instance of the kind since the reformation.

Next day *Mr. Alexander Hastie* and *John Row* were denounced for keeping *conventicles*. The same day a proclamation was issued for a fast to be observed in the south parts on the 29th, and in the more remote parts on the 6th of *July*. The causes of this fast were the blasphemous and sanguinary opinions of many who had left the communion of the established church, the threatned famine, and the approaching session of parliament. I shall only here observe, that they had not acted like themselves, if some virulent reproaches had not been thrown upon the suffering people. The blood of many of God's people was upon them, and, had not their eyes been shut, *that* should have been mentioned as one of the chief grounds of humiliation; but they had no knowledge of this.

On the 21st the earl of *Queensberry*, sheriff-principal of *Dumfries*, or his deputies, were ordered to call several before them for *conventicles*, which brought not a few to trouble; and new orders were issued against those who had been at *Bothwell*; the sheriffs and other magistrates were appointed to seize and bring them to justice, and secure their rents and lands for his majesty's use, and the country from *field-conventicles*.

Adam Philip, *Laurence Hay* a weaver, and *Andrew Adam Pittilloch* land-labourer in the parish of *Largo* in *Fife*, having joined in a society for prayer and conference, signed a paper last month, intitled, *A testimony against the evils of the times*. That paper, some way or other, having come into the hands of the managers, they were apprehended, and, on the 11th of *July*, brought before the justiciary. They owned the said paper, in which they disclaimed the king's authority, and were condemned to be hanged at the *Grass-market* on the 13th, which was done accordingly. My author says that this paper seemed, by the quotations from it in their process, to be wild, and to smell of *Gib's* delusions. As to that I can say nothing; only the testimonies of the two last, mentioned in *The cloud of witnesses*, breathe a spirit

1681. spirit of true piety; and *Laurence Hay*, in particular, leaves his testimony to the scriptures of the Old and New Testament, to the version of the psalms in metre, and to the work of reformation, COVENANTS national and solemn league, &c. *Andrew Pittilloch* declared against the four men in the *Canongate* tolbooth, and all that joined with them, for wronging the scripture. *Adam Philip* is omitted in *The cloud of witnesses*.

On the 12th *William Thomson* servant in *Frosh*, who had been seized on the last Sabbath of June, as he was coming from hearing Mr. *Cargill*, was examined before the committee for publick affairs. He owned his being at *Bothwell*, and that he had not taken the bond, &c. He refused to answer whether the rising at *Bothwell* was rebellion, and concerning the king's authority and the archbishop's death. Being asked if it was lawful to kill the officers of the army, he asked at the committee if it was lawful for them to kill the people of God, adding, that, if they pleased, they might lay the one to the other. Being farther asked, if, to save his life, he would say, *God save the king*? he answered, That he would not buy his life at so dear a rate as to commit any sin.

Mr. Car-
gill ap-
prehended.

At this time the pious, faithful, and zealous Mr. *Daniel*, commonly called *Donald*, *Cargill* was in his enemies hand. The last time he preached was in *Dun-syre-common*, between *Clydesdale* and *Lothian*, when he expounded *Jer. i.* and preached from *Isa. xxvi. 20, 21.* Some time that night (for he durst not leave the desert place where he preached till it was dark) he went, by the persuasion of Mr. *Smith* and Mr. *Boig*, with the lady of *St. John's-Kirk*, as far as *Covington-mill*, to the house of one *Andrew Fisher* a mile from that lady's house. *James Irvine* of *Bonshaw*, having obtained a general commission, marched with a party of dragoons from *Kilbride*, and next morning, by sun-rising, came to *St. John's-Kirk*, and, having narrowly searched that house and the house of one *James Thomson*, came next to *Covington-mill*, and there apprehended him, together with Mr. *Smith* and Mr. *Boig*. *Bonshaw* cried out, *Oh blessed Bonshaw, and blessed day that ever I was born, that have found such a prize this morning!* for a reward of 5000 merks was promised to the apprehender of Mr. *Cargill*.

They

They marched hard to *Lanerk*, and put the prisoners in jail till the soldiers had some refreshment. When they got horses they brought them out in haste and set them on their bare backs. *Bonshaw* with his own hands tyed *Mr. Cargill's* feet below the horse's belly very hard. The good man looked down to him, and said, 'Why do you ty me so hard? your wickedness is great, you will not long escape the just judgment of God, and, if I be not mistaken, it will seize upon you in this place.' And this was verified; for, soon after he got the price of this blood, he was killed in a duel near *Lanerk*. His last words were, *God damn my soul eternally, for I am gone.* 1681.

Fearing a rescue, they made all the dispatch they could to *Glasgow*. When near the city they turned him on the horse and led him in backward, which drew tears from many to see their old minister in such a posture, for he had been some years minister of the *Barony-church*. When they came to the tolbooth they halted till the magistrates came to receive them. Then that wretch *John Nisbet*, the archbishop's factor, said, by way of ridicule, *Mr. Cargill*, (three times over) *will you not give us one word more?* alluding to an expression *Mr. Cargill* sometimes used in his serious pathetick way of preaching. The good man, looking on him with regret and concern, said, *Wicked poor man, why do you mock? ere you die you shall desire one word, and shall not have it;* and soon after he was struck dumb, his tongue swelling in his mouth. *Robert Goodwin* and *John Hodge*, two *Glasgow-men* who were witnesses of this, went to visit him. *Goodwin* desired him to write what kept him from speaking. He wrote, *That it was a just judgment from the Lord, and the sayings of the minister verified upon him for his mocking of him; and, if he had the whole world, he would give it for the use of his tongue again.* But he died in great torment and seeming terror.

From *Glasgow* *Mr. Cargill* and his fellow-prisoners were carried to *Edinburgh*, and on the 15th of July he was examined before the council. The chancellor *Rothes* (being one of the seven whom he had excommunicated at *Torwood*) raged against him, and threatened him with extraordinary torture and violent death. *Mr. Cargill* said, *My lord Rothes, forbear to threaten me, for, die what death I will, your eyes shall not see it;* and it is well known

1681. known his lordship died that morning that Mr. *Cargill* and his fellow-martyrs suffered in the afternoon. When he was asked if he owned the king's authority, and the king as his lawful prince, he answered, As the magistrate's authority is now established by the act of parliament anent *supremacy*, and the explanatory act, that he denied the same, but refused to give any answer to the other branch of the question. He likewise declined to answer as to the *excommunication*, that being an *ecclesiastical* matter, and the council being a *civil judicatory*. He owned the lawfulness of *defensive arms*, in case of necessity, denying that those who rose at *Bothwell*, &c. were rebels, or that he was concerned in drawing up the *Sanquhar* declaration. He declined giving his judgment as to the principles contained in it, unless he had more time to peruse the contents. He farther declared, that he could not give his sense of the killing of the archbishop, but that the scripture says, The Lord giving a call to a private man to kill, he might do it lawfully, and gave the instances of *Jael* and *Phineas*. These were the most material things upon which he was examined.

Mr. On the said 15th Mr. *James Boig*, son to *James Boig* Boig and merchant in *Edinburgh*, and Mr. *Walter Smith*, son to Mr. *Walter Smith* in the parish of *St. Ninians*, students of *divinity*, were examined before the council. The former owned the principles of the sufferers; that the rising at *Bothwell* was lawful, being in defence of the truth. As to the killing of the archbishop, he declared he was not obliged to answer for the actions of others. He owned the *Sanquhar* declaration; but refused to sign his confession, because he said that would be an owning of the king's authority, which he disowned. The latter declared he did not acknowledge the present authority the king is now invested with, and that the grounds of the *excommunication* were just. On the 19th Mr. *Smith* was again before the council, and, the *Sanquhar* declaration being read, declared that he owned it with this explanation, that he did not look on those who composed it as the formal representatives of the *presbyterian church*, and that he did not like the word *denuded*, in that expression, *the king should have been denuded many years ago*; but that what the king had done justified the people in revolting from him. As to *declaring war*, he did not know if they were called, or in a capacity to declare war; And therefore he was of opinion that thereby they

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they only intended to justify the killing of any of the king's forces in their own defence, when assaulted, other ways it might have been esteemed murder. As to the king's being called an *usurper* and a *tyrant*, he said, That he knew the king was an *usurper*, and wished he was not a *tyrant*. 1681.

One *William Cuthil*, a sailor in *Borrowstounness*, having been taken by some of the earl of *Mar*'s men, was likewise examined, when he denied the king's authority, and declared that he deserved to die; and that he thought the persons who killed the archbishop had the glory of God before their eyes. W. Cuthil.

Mr. Cargill was again before the council on the 19th of July, but refused to answer their questions, except as to the *excommunication*, when he expressed himself as above. It seems there was a motion made to spare his life, and send him to the *Bass* as a prisoner for life. When the vote was put, the motion was rejected, occasioned by the casting vote of the earl of *Argyll*, which afterwards lay heavy upon his lordship. casting vote.

On the 26th *Mr. Cargill*, *Mr. Smith*, *Mr. Boig*, *W. Thomson*, and *William Cuthil*, were brought before the justiciary, and, being indicted in common form, their confessions were produced as evidences against them, and they were all brought in guilty of high treason, and condemned to be hanged at the cross of *Edinburgh* next day, their heads to be severed from their bodies, and those of messrs. *Cargill*, *Boig* and *Smith*, to be placed on the *Netherhow*, and the heads of the other two on the *West-port*. When *Mr. Cargill*'s confession was read before the justiciary, he declared before them, that the word *act explanatory* in his confession is thus to be understood, 'That the act explaining the king's supremacy gives him a right to the authority of *Jesus Christ*, and that supremacy, given him by act of parliament, is against right; and farther declared, that those who rose in arms at *Bothwell* were not *rebels*, but raised by oppression.' On the 27th *Mr. Cargill* and the other four were all executed according to their sentence. Mr. Cargill, &c. before the justiciary.

Mr. Cargill's testimony is in the *Cloud of witnesses*, and in my author's appendix, of which the following is an abstract. 'This is the most joyful day that ever I saw. — My joy is now begun, which I see shall never be interrupted. I see both my interest and his truth, the sureness of the one and the preciousness of the other.

It

1681. It is near thirty years since he made it sure, and since that time (though there has fallen out much sin, yet) I was never out of an assurance of mine interest, nor long out of sight of his presence.——It is long since I could have ventured on eternity through God's mercy and Christ's merit; but *death remained somewhat terrible*; but that now is taken away, and now death is no more to me, but to cast myself into my husband's arms, and to ly down with him.——I have been most in the *main things*, not that I thought the *things concerning our times* LITTLE, but that I thought none could do any thing to purpose in God's great and publick matters, till they were right in their conditions. And O that all had taken this method, for then there had been fewer apostasies!——My soul trembles to think how little of *regeneration* there is among the ministers and professors of *Scotland*! O the ministers of *Scotland*, how have they betrayed Christ's interest and beguiled souls!——They have sold the things of Christ, and liberties of his church, for a short and cursed quiet to themselves, which is now near an end.——As to our professors, my counsel to them is, that they would see well to their own *regeneration*; for the most part of them has that *yet to do*.——As to the cause of my suffering, the main is *not acknowledging the present authority*, as it is established in the *supremacy and explanatory act*. This is the magistracy that I have rejected, that was invested with Christ's power. And seeing that power taken from Christ, which is his glory, is made the essential of the crown, I thought this was as if I had seen one wearing my husband's garments after he had killed him.'——

His behaviour on the scaffold.

After he got to the scaffold, he stood with his back to the ladder, and desired the attention of the numerous spectators; and, after singing *Psal. cxviii.* from ver. 16. he began to speak to three sorts of persons; but, being interrupted by the drums, he said, with a smiling countenance, *Ye see we have not liberty to speak, or to speak what we would, but God knoweth our hearts.* As he proceeded he was again interrupted as before. Then, after a little silence, he began to exhort the people, and shew his own comfort in laying down his life, and in the assurance of a blessed eternity. Thus he spoke, 'Now I am as sure of my interest in Christ, and peace with God, as all within this bible and the spirit of God can make me,——and I am fully persuaded that *this* is his way

way for which I suffer, and that he will return gloriously to *Scotland*; but it will be terrifying to many; therefore I intreat you be not discouraged at the way of Christ, and the cause for which I am to lay down my life and step into eternity, where my soul shall be as full of him as it can desire to be. And now this is the sweetest and most glorious day that ever my eyes did see.— Enemies are now enraged against the way and people of God, but ere long they shall be enraged one against another to their own confusion.’ At this the drums beat a third time. When he set his foot on the ladder, he said, ‘The Lord knows I go up this ladder with less fear and perturbation of mind, than ever *I entered the pulpit* to preach.’ And when he was up, he sat down and said, ‘Now I am near to the getting of my crown, which shall be sure; for I bless the Lord, and desire all of you to bless him, that he hath brought me here, and makes me triumph over devils, men and sin, they shall wound me no more. I forgive all men the wrongs they have done to me, and pray the Lord may forgive all the wrongs that any of the elect have done against him. I pray that the sufferers may be kept from sin, and helped to know their duty.’ Then having prayed a little within himself, he lifted up the napkin and said, ‘Farewel all relations and friends in Christ; farewel acquaintances and all earthly enjoyments; farewel reading and preaching, praying and believing, wanderings, reproaches and sufferings. Welcome joy unspeakable and full of glory. Welcome Father, Son and Holy Ghost. Into thy hands I commit my spirit.’ Then he prayed a little, and the executioner turned him over praying. Thus the reverend and faithful Mr. DANIEL CARGILL finished his course, and the ministry he had received of the Lord.

Mr. *Walter Smith* suffered with him. His testimony is also in the *Cloud of witnesses*, to which I must refer the reader. He adhered to the very same cause with Mr. *Cargill*, and declared against the same usurpation of Christ’s crown and dignity, and died with assurance of his interest in Christ, declaring his abhorrence of *popery*, *prelacy*, *erastianism*, and all the other steps of defection. He went up the ladder with all the signs of cheerfulness; and, when the executioner was to untie his cravat, he would not suffer him, but untied it himself, and, calling for his brother, threw it down, saying, This is the last

1681. token you shall get from me. After the napkin was drawn over his face, he uncovered it again, and said, 'I have one word more to say, and that is to all who have any love to God and his righteous cause, that they would set time apart, and sing a song of praise to the Lord for what he has done to my soul; and my soul says, *To him be praise.*' Then, the napkin being let down, he was turned over praying. Mr. Smith studied under the famous *Leusden*, who had a singular value for him. He drew up a paper containing twenty two steps of desertion; and, if these be considered, it will appear that few or none of the sufferers exceeded him in their testimonies against the encroachments, made at that day, upon the royal prerogatives of Christ as the head of his church.

Mr.
Boig's ex-
ecution.

Mr. Boig was next dispatched, and adhered to the same testimony, and died in the full assurance of faith. He concludes his letter to his brother with these words, 'Let this suffice, that I am once fairly on the way and within the view of *Immanuel's* land, and in hopes to be received an inhabitant there within the space of 26 hours at most. Farewel all earthly comforts; farewel all worldly vanities; farewel all carnal desires. Welcome cross, welcome gallows, welcome Christ, welcome heaven and everlasting happiness, &c. I have no more spare time. Grace, mercy and peace be with you. Amen.'

I do not find any thing recorded of the other two, viz. *William Thomson* and *William Cuthil*, when at the place of execution; but it appears, from their testimonies which are in the *Cloud of witnesses*, that they continued, to the last, zealous against the tyranny and desertions of the times. They had not the education of their three fellow-sufferers, and therefore, though they did not express themselves so accurately, that is to be excused.

Mr.
James
Renwick
at this ex-
ecution.
Ren-
wick's
life by
Shields.

Executions are usually attended with a vast crowd of spectators. Among others who beheld this execution was Mr. JAMES RENWICK, who was the last that fell a sacrifice, in this period, in Scotland, to prelacy and the bloody house of Stuart. Mr. Renwick was an early convert; for, having finished his academical studies, he was so tender in conscience, that he refused to take the oath of allegiance and supremacy; and therefore, with two others, he took his degrees privately at *Edinburgh*, where he

he remained, prosecuting his studies, attending on the then private and persecuted meetings, and continuing in unity with the ministers there, until he discovered their defections from many degrees of the COVENANTED reformation, in accepting of indulgences, especially the BANDED indulgence after Bothwell. This brought him into great perplexity, neither knowing how to countenance them or to withdraw from them. But Mr. Cargill's execution made such an impression upon him, that he was determined to embark with these faithful martyrs, to tread in their steps, and in his station to defend their cause. Among other things he was grounded in this resolution, 'When he observed, says the writer of his life, how the council and courts of inquisition, by putting the question of owning the authority of CHARLES II. so generally and peremptorily to all prisoners, were pursuing a strange and singular piece of policy, to involve all whom they were persecuting in the guilt of their persecution, by owning that authority which promoted it.' Therefore he and others examined the point, and soon found that CHARLES had forfeited all authority, by his perfidious breach of trust, and overturning all the fundamental constitution of the government, both in church and state, &c. And as the persecuted people kept societies for prayer and conference, Mr. Renwick joined one of these for a time, but found it necessary to withdraw, because they complied with the *cesses*, and sought for a society that was free of all these compliances. We shall hear more of him afterwards. I go on now to

C H A P. VI.

Of the duke of York's parliament; the TEST; the trial, condemnation and escape of the earl of Argyll; the execution at the Gallow-lee, and other things to the end of the year.

THE execution of Mr. Cargill and his fellow-sufferers, the day before the sitting of the parliament, gave but a melancholy prospect. Neither could any good be expected, when the duke of York, a professed *papist*, was commissioner.

The parliament sat down on the 28th of July, when, after reading of the king's letter, the commissioner delivered a speech, from which it appears that the chief designs

1681. designs of this parliament were to bear down separation, *i. e.* those who could not conform to the times, and secure the succession, that is, *popery and tyranny*. The first was tacitly recommended in the king's letter, and the other in the commissioner's speech, though *that* doubtless might have come with a better grace from another.

First act. Their first act was for securing the *protestant* religion. This came of course; for most parliaments since the *reformation* began with what they thought had a reference to the security of religion. Bishop *Burnet* says, The duke thought it would give a good grace to all that should be done afterwards, to begin with such a general and *cold* confirmation of all former laws.

2d act. By the second act, being *Act asserting the right of succession to the imperial crown of Scotland*, 'The estates of parliament, considering that the kings of this realm derive their royal power from *God Almighty ALONE*, do succeed *lineally* thereto, according to the known degrees of proximity of blood, which cannot be interrupted, suspended, or diverted by any act or statute whatsoever; [this act then seems quite unnecessary] and that none can attempt to alter or divert it, without involving the subjects of this kingdom in perjury and rebellion, and without exposing them to all the fatal and dreadful consequences of a civil war, do therefore, &c.' I shall make no remarks here, farther than to observe, that, in about seven years thereafter, the whole island came to have no good-will to this *lineal* succession, and went into the measures attempted by some brave patriots in *England*, and put in practice the principles of liberty for which the sufferers in *Scotland* took joyfully the spoiling of their goods, and laid down *their very lives*.

3d act. Having thus settled their *lineal* successor, by their 3d act they offered a new supply to the king, because of the danger the kingdom was in *by seditious and rebellious field-conventicles*, and to support the army in bearing them down. I shall not trouble the reader with their act for securing the peace of the country; for, as it was *prelacy* that ever disturbed the quiet of the kingdom, so it was impracticable to restore peace while *that* remained. *Prelacy* in *Scotland*, and the peace of the nation, have been always found inconsistent. By this act the fines for *field-conventicles* were all doubled, and burghesses, besides their former fines, were to lose their bur-

geship

geship or freedom, and be banished the town. But the 1681.
act which made most noise was that which imposed
the oath called the TEST, of which I shall speak a little
more particularly, when I have mentioned some things
that previously happened

The day before this parliament sat down the duke of *Duke of*
Rothes died. When he felt the pangs of death he called *Rothes*
for some of his lady's ministers; for it seems *his own* died.
ministers were good to *live with*, but not to *die with*.
Accordingly he had the assistance of the reverend Mr.
John Carstairs and Mr. *George Johnstoun*, who dealt with
great freedom and faithfulness, rehearsing many wicked
acts of his life. He said to Mr. *Carstairs*, *We all thought*
little of what that man did in excommunicating us, but
I find that sentence binding upon me now, and will bind to
eternity. When Mr. *Johnstoun* was praying, several
noblemen and bishops overhearing him in the next room,
some of the former said to the bishops, *He is a presby-*
terian minister that is praying; the de'il ane of you can
pray as they do, though your prayers would keep a soul out
of hell. In short, the noblemen were much affected,
and duke *Hamilton* said, *We banish these men from us,*
and yet when dying we call for them; this is melancholy
work.

Lauderdale's being out of the secretary's office, and the *Alterati-*
duke of *Rothes's* death making great changes among the *ons upon*
managers, the duke of *York's* party came in, many of *this*.
whom complimented him with their religion, and turned
papists. And no doubt the hopes of succeeding *Rothes*
excited several to court the duke's favour; and by this
means his royal highness got every thing carried in the
parliament to his mind.

On the 3d of *August* a process of error was commen- *Process of*
ced against several of the jury who had acquitted some *error*.
of the heritors in the shire of *Lanerk* last *March*. All the
jury got off except *Alex. Gray* and *Jam. Bailie* mer-
chants in *Edinburgh*, and *Jam. Gray* of *Waristoun*, who
were sentenced to have forfeited all their chattles and
other moveables to his majesty's use, and to ly in prison
for a year.

While publick business was going on in the parlia- *L. Hal-*
ment, one stood up and accused lord *Halton*, duke *Lau-*
derdale's brother, of perjury, on account of Mr. *Mitchel's* *ton ac-*
affair. He had in his hands the two letters which that *cused of*
lord had written to the earl of *Kincardin*, mentioning the *perjury,*
Burnet,
promise *p. 514*

1681. promise of life that was made him; and, as was told formerly, lord *Halton* swore, at his trial, that no such promise was made. The lord *Kincardin* was dead a year before this, but his lady had delivered up these letters to be made use of against lord *Halton*. Upon reading them the matter appeared plain. The duke was not ill pleased to have *Lauderdale* and his brother thus at mercy, yet he would not suffer the matter to be determined in a parliamentary way; so he moved that the whole affair might be referred to the king; which was immediately agreed to. Thus, says the historian, that infamous business was made publick, and yet stifled at the same time; and no censure was ever put on that *base action*.

L. Bargeny's
affair
dropt.

p. 515.

Another vile discovery was made. Lord *Bargeny*, nephew to duke *Hamilton*, had been imprisoned on account of the rising at *Bothwell*; the whole affair was laid before the parliament, and his lordship had full proof of every thing ready to produce; but the duke prevailed to have this likewise referred to the king, and it was never more heard of. 'This, says *Burnet*, 'shewed what *Lauderdale's* party were capable of. It likewise gave an ill character of the duke's zeal for justice and against false swearing, though that had been the chief topick of discourse with him for above three years. He was angry at a supposed practice with witnesses when it fell on *his own party*; but now, that there were evident proofs of perjury and subornation, he stopt proceedings under pretence of referring it to the king, who was never made acquainted with it, or, at least, never inquired after the proof of these allegations, nor ordered any proceedings against them.'

The Test
act.

The main business of this parliament was the act concerning the new TEST. The bill was brought in and voted in one day, viz. on the 31st of *August*, though the matters contained in it were of such importance as required the most mature deliberation. It had been promised, at the beginning of the session, that, upon passing an act for *maintaining the SUCCESSION*, all the security they could desire for the *protestant* religion should be given. Accordingly, when the first act relating to religion was read and passed, it appeared so general, that many thought it an insufficient security, and therefore 'a *test* was proposed for all that should be capable of any office in church or state, or
of

of electing or being elected members of parliament, 1681. that they should adhere firmly to the *protestant* religion; but then the court thought proper to burden this with a *declaration* against *ALL resistance*, a renouncing the *covenants*, and an obligation to defend the king's rights and prerogatives, and never to meet to treat of any matters, civil or ecclesiastical, but by permission from the *throne*, and never to attempt any alteration of the government either in church or state. This became matter of great debate, and with difficulty a clause was got in ratifying the *confession of faith* established by the first parliament of JAMES VI. 1567. But then the king's *LAWFUL sons and brothers* were expressly excepted from this *test*. In short the act passed by a majority only of seven votes.

The earl of *Argyll*, in reasoning upon the *oath* en-Argyll's joined by the act, said, 'He was of opinion, that as *opposition to the test* few publick oaths should be required as might be, and these as short and clear as possible; he thought a very small addition to the oaths in force these 20 years might suffice, since it is evident the oath of *allegiance* and *declaration* had effectually debarred all *fanaticks* from places of trust all this time. It is true some *papists* have swallowed them, but a word or two of addition might likewise hold them out.' He likewise opposed the concluding clause *excepting the king's LAWFUL sons and brothers*, and said, 'It was our happiness that the king and people were of *one religion* by *law*; and he hoped the parliament would do nothing to loose what was fast, or open a gap for the *royal family* to differ in religion; and therefore wished, if any exception was made, it might be made particular for his *Royal Highness*.' But the commissioner rising up opposed this openly; whereupon the earl concluded with his fears, 'That, if this exception did pass, it would do more prejudice to the *protestant* religion than all the rest of the act, yea, many acts, would do good.'

I cannot here omit one thing taken notice of by bishop *Burnet*, who says, that 'some proposed that there should be two tests; one for *papists* with higher incapacities, and another for *presbyterians* with milder censures. But that was rejected with much scorn, some making their court, by saying they were more in danger from the *presbyterians* than from the *papists*; and it was reported

1681. reported that *Paterfon*, then bishop of *Edinburgh*, said to the duke, that he thought the two religions, *popish* and *protestant*, were so equally stated in his mind, that a few grains of loyalty, in which the *protestants* had the better of the *papists*, turned the balance with him. Well, the act passed, by which all in places of trust in church and state (*the king's LAWFUL brother and sons only excepted*) were obliged to take the following oath by the first of *January* next: viz.

The
TEST. ' I N. N. solemnly swear, in presence of the eternal
' God, whom I invoke as judge and witness of my
' sincere intention in this my oath, that I own and
' sincerely profess the true *protestant* religion contained
' in the *confession of faith* recorded in the first parlia-
' ment of king JAMES VI. and that I believe the same
' to be founded on and agreeable to the written word
' of God: And I promise and swear, that I shall ad-
' here thereunto during all the days of my lifetime,
' and shall endeavour to educate my children therein,
' and shall never consent to any change or alteration
' contrary thereunto; and that I disown and renounce
' all such principles, doctrines or practices, whether
' *popish* or *fanatical*, which are contrary unto and in-
' consistent with the said *protestant* religion and *confes-*
' *sion of faith*. And, for testification of my obedience
' to my most gracious sovereign CHARLES II. I do
' affirm and swear, by this my solemn oath, that the
' king's majesty is the ONLY *supreme governor* of this
' realm, over all persons, and in all causes, as well *ec-*
' *clesiastical* as civil; and that no foreign prince, per-
' son, pope, prelate, state, or potentate, hath, or ought
' to have, any jurisdiction, power, superiority, pre-
' eminency or authority, ecclesiastical or civil, within
' this realm; and therefore I do utterly renounce and
' forsake all foreign jurisdictions, powers, superiorities
' and authorities; and do promise, that from hence-
' forth I shall bear faith and true allegiance to the
' king's majesty, his heirs and lawful successors; and,
' to my power, shall assist and defend all rights, jurif-
' dictions, prerogatives, privileges, pre-eminencies and
' authorities belonging to the king's majesty, his heirs
' and lawful successors. And I farther affirm and swear,
' by this my solemn oath, that I judge it unlawful for
' subjects, upon pretence of reformation, or any pretence
' whatsoever, to enter into covenants or leagues, or to
' con-

‘ convocate, convene, or assemble in any councils, conventions or assemblies, to treat, consult or determine in any matter of state, civil or ecclesiastick, *without his majesty’s special command or express licence* had thereunto, or to take up arms against the king, or those commisionate by him ; and that I shall never so rise in arms, or enter into such covenants or assemblies : And that there lyes no obligation upon me, from the *national covenant*, or the *solemn league and covenant*, (so commonly called) or any other manner of way whatsoever, to endeavour any change or alteration in the government, either in church or state, as it is now established by the laws of this kingdom. And I promise and swear, that I shall, with my utmost power, defend, assist and maintain his majesty’s jurisdiction *foresaid* against all deadly ; and I shall never decline his majesty’s power and jurisdiction, as I shall answer to God. And, finally, I affirm and swear, that this my solemn oath is given in the plain genuine sense and meaning of the words, without any equivocation, mental reservation, or any manner of evasion whatsoever ; and that I shall not accept or use any dispensation from any creature whatsoever. *So help me GOD.*’

1681.

If nothing could have been said against this abominable oath, but that the one part of it contradicted the other, that was sufficient to have deterred all from taking it. Thus the *confession of faith*, which is here sworn to, asserts Christ to be the only king and head of the church ; and says, ‘ in which honours and offices, if men or angels presume to intrude themselves, we utterly detest and abhor them ;’ and yet here it is sworn, that the king is the *only* supreme in all causes, as well *ecclesiastical* as civil. In the said *confession* it is reckoned among good works, ‘ to honour—princes and rulers, to obey their charges *not repugnant to the commandment of God*, to save the lives of innocents, to repress tyranny, to defend the oppressed, &c.’ But here they swear not only to an unlimited subjection, but declare it unlawful to take up arms against the king, or those having his commission, upon *any pretence whatsoever*. Mr. Wodrow justly observes, that this oath is a medley of *popery*, *prelacy*, *erastianism* and *self-contradiction* ; the *national covenant*, the great bulwark against *popery*, is thereby renounced, and *prelacy*, and the utmost

Remarks.

Art. xi.

Art. xi.

1681. extent of the *supremacy*, sworn to. Nay, they swear to maintain the *protestant* religion, and yet to bring in a *popish* successor. Though this oath was at first only designed for those in places of trust, yet it afterwards became an universal test of loyalty, and the foundation of great persecution, as shall be related. And, though it may be thought surprising that so many fell in with this self-contradictory and wicked imposition, yet the multitude of wicked oaths, bonds and obligations imposed since the unhappy *restoration*, took off the impressions on mens minds as to the solemnity of an oath: And, since that wicked generation hath trampled upon the sacred *covenants* of the nation, it is not at all surprising though God gave them up to *strong delusions*, and the belief of lies.

It will not be improper to insert here what bishop Burnet says on this subject, when relating the sense of the best of the *episcopal* clergy: 'They were, says he, highly offended at the great extent of the prerogative in the point of *supremacy*, by which the king turned out bishops at pleasure by a letter. It was hard enough to bear this; but it seemed intolerable to oblige men by *oath* to maintain it. The king might by a proclamation put down even *episcopacy* itself, as the law then stood, and by this oath they would be bound to maintain even *that*. All meetings in synods, or for ordinations, were hereafter to be held only by permission, so that all the visible ways of preserving religion depended now wholly on the king's *good pleasure*; and they saw that this would be a very feeble tenure under a *popish* king. The being tyed to all this by oath seemed very hard; and, when a church was yet in so imperfect a state, without *liturgy* or *discipline*, [*the former argued no great imperfection, though the latter did*] it was a strange imposition to make people swear never to endeavour any alteration either in church or state.'

Several refused it. When the *test* was thus imposed, and all were to swear it by the first of *January*, under the penalties of being for ever declared incapable of any publick trust, and of the loss of their moveable and liferent escheats, there were not many in publick offices made any scruple, except the earl of *Argyll*, of whom we shall hear in its proper place. The earl of *Queensberry*, being a friend, was permitted to take the *test* with an *explication*. The laird of *Hopeton*, scrupling the oath, was divested of his

his office of sheriff of *Linlithgow*. The dutchess of 1681. *Roths* was urged to take it, but she refused. The duke of *Monmouth* also refused it. The duke of *Hamilton* had his scruples concerning it, and was willing the council should name deputies in any jurisdictions belonging to him. There were likewise a few others whom I shall not here mention. The privy councillors took it on the 22d of *September*, repeating the words of the oath on their knees.

But the opposition made by some of the conformable The clergy made great noise. Bishop *Burnet* says, 'Some, or all of these exceptions, mentioned by him above, did run so generally through the whole body of the clergy, that they were all shaking in their resolutions. To prevent this an explanation was drawn by bishop *Pater-son*, (one, says my author, of the most violent defenders of it) and passed in council. It was by it declared, that it was not meant that those who took the *test* should be bound to every article in the *confession of faith*, but only in so far as it contained the doctrine upon which the protestant churches had settled the reformation; and that the *test* did not cut off those rights which were acknowledged to have been in the primitive church for the first 300 years after Christ; and an assurance was given that the king never intended to change the government of the church. By this it was pretended that the greatest difficulties were now removed. But to this it was answered, that they were to swear they took the oath in the *literal* sense of the words; so that, if this explanation was not conform to the literal sense, they would be perjured who took it upon this explanation. The imposers of an oath could only declare the sense of it; but that could not be done by any other, much less by a lower authority, p. 519. such as the privy council was confessed to be: Yet, when men are to be undone, if they don't submit to a hard law, they willingly catch at any thing that seems to resolve their doubts. About 80, continues the bishop, of the most learned and pious of the clergy left all, rather than comply with the terms of this law; and these were noted to be the best preachers, and the most zealous enemies to *popery*, that belonged to that church. The bishops, who thought their refusing the *test* was a reproach to those who took it, treated them with much contempt, and put them to many hardships.'

1681. It is certain, though the bulk of the *prelatical* clergy swallowed this oath, which shews what sort of men they were, yet several made the best stand they ever made before; particularly, the ministers of *Aberdeen* drew up some queries against the *test*, as, 1. How can I swear that the *confession of faith* is the true standard of the *protestant* religion, &c. which forbids the *resisting of the magistrate* only conditionally, while they pass not over the bounds of their office, and says it is a good work to bear down tyranny? 2. How can I swear, that the king is the only supreme governor over all persons, and in all causes, when the said *confession* obliges me to believe Jesus Christ to be the only head of the church, &c? 3. If I believe the present established church to be of divine and apostolick authority, how can I swear that it is in the king's power to alter or change the same? and, if it be in its own nature indifferent, how can I swear to that which the king can alter at his pleasure? 4. How can I swear to defend the king's privileges and prerogatives, till I know and consider whether they be consistent with the principles of religion, &c? 5. How can I swear that I judge it unlawful, upon any pretence whatsoever, to enter into leagues and covenants without the king's consent, when it was lawful, in the first days of christianity, to enter into a covenant with Christ, and a league with one another, though not to cast off the yoke of judaism, paganism, and idolatry, even contrary to the express command of earthly sovereigns? And, should popery prevail, would it be unlawful for subjects to enter into covenant for shaking off the Roman yoke? Does not that clause in the *test*, condemn our reformation in Scotland? 6. Can I swear sincerely that I judge it unlawful for subjects to meet in order to consult or determine in any matter of state, civil or ecclesiastical, when I have no security, from the *test* or laws of the land, but that clause may comprehend the assemblies and meetings for the worship of God, and the ordinary exercise of discipline, especially when all the ecclesiastical meetings are put in the king's hand by the act November 16. 1669. &c. And, should our meetings for worship and discipline be, in process of time, forbid, would it be unlawful to meet with one another for these purposes? 7. Can I swear that I am under no obligations to endeavour any alteration

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ration of the government in church or state, as now 1681. established? It must be a *perfect* constitution that needs no change in any circumstances, and yet an alteration in circumstances is a change; yea, the *confession* prescribed in the *test* says, that *no policy or order of ceremonies* in the church can be appointed for *all ages, places and times*, because what is now convenient may prove burdensom at another time, or in other circumstances. May I not *pray* to God Almighty to put it into the hearts of men to reform what is amiss? and yet to *pray* is some sort of *endeavour*. What if the king's power in national synods, by act of parliament, be destructive of the true church-power? What if there be something in the act of restitution of bishops to be amended? 8. Is there no more in this *test* than in the acts of parliament, or former oaths upon which it is founded? In the acts against assembling the king's lieges this clause is added, (except in ordinary judgments) but there is no such clause in the *test*, by which I swear, that I judge it unlawful to convene or assemble upon *any pretence whatsoever*, even though to worship God with others. In the declaration it is said, there lyeth no obligation upon me from the covenants to endeavour reformation; but the *test* adds, or upon *any other manner of way*. May I not be under some obligations, though from *neither* of the covenants? And, though I be under no obligation for the present, may I not be under some afterwards? If there be no more in this *test* than in former oaths, why is it imposed on those who took the *declaration*, &c? To all this might be added the evil of imposing and multiplying oaths.

There were several other things published at this time, by some of the *conform* clergy, against the *test*. The bishop and synod of *Aberdeen*, the bishop of *Dunkeld* and synod of *Perth*, published their respective explications of this oath, declaring the sense in which they took it. This unexpected stir among the clergy made the managers look about them, so that, as we have heard, bishop *Paterfon* and the council made a sort of explication of it, which was approved of by the king: However, the generality went into it; so that those who refused it were exposed to persecution, and several quitted their charges; for the council made an act requiring the patrons to provide fit and qualified persons

1681. persons in the room of those who should undutifully refuse to take the *test* betwixt and the first of *January*, certifying, that, if the patrons did not comply with this, they should be esteemed persons disaffected to his majesty's person and government. I shall only remark, that, if some of the *conformable* clergy, who for once became *recusants*, began to feel a little of the wholesom severities of the managers, the reader cannot be surpris'd at the sufferings of the *presbyterians*.

Mr. Ga- During these proceedings about the *test* several oc-
briel currences happened, which it will not be improper to
Semple. relate. Accordingly, on the first of *October*, Mr. *Gabriel Semple*, who had been prisoner for some time, was, in consequence of a petition he presented, ordered to be released upon bond to appear when called under the penalty of 10,000 merks. This worthy minister was son of Sir *Bryce Semple* of *Cathcart*, and was ordained minister of *Kirkpatrick-Durham*, from which he was ejected by the *Glasgow* act. He then repaired to the house of *Corfack*, where he preached to all that came to hear him; but the numbers were so great, that he was obliged to take to the fields and preach there; and these were the first field-meetings in *Scotland*. When he found himself obliged to leave that house, Mr. *John Welsh* continued and kept up those meetings in the open fields from mere necessity. Soon after Mr. *Semple* returned to *Galloway*, joined Mr. *Welsh*, and continued preaching along with him till *Pentland*. About a year after that, being intercommuned, he went to *Ireland*, and from thence to the borders of *England*. After absconding some time he preached at *Haselridge*, and dispensed the Lord's supper, having Dr. *Rule* and another minister from *Berwick* assisting him. As the incumbent of *Foord* was a poor melancholy person, Mr. *Semple*, through the good nature of several gentlemen in that neighbourhood, had possession of that church for some years, and dispensed the word and sacraments with great success among the rude borderers. He continued there till the death of his consort, the daughter of Sir *Walter Riddel* of *Riddel*, so that a little before *Bothwell* he returned to *Scotland*, but the divisions in the west-country army prevented his joining in that enterprize. He was apprehended by a party of the guards, being then ill of an ague. Nevertheless he was carried to the *Canongate* prison,

prison, where he continued till the parliament this year 1681. was up. Soon after he was released he was called before a committee of the council, on pretence that his petition was forged. The clerk, in reading it, added some words of his own. Mr. *Semple*, being asked if he owned that petition, desired to see it; and, observing that it was the same he had given in, but that the clerk had read it otherways than it was, declared that that was the paper he had given in, thanked them for his liberty, and prayed for the spirit of grace and government to his majesty; then he was dismissed, without being obliged to renew his bond for his appearance. But how unjustly people were ensnared at this time must be left with the reader. In a few weeks he was again summoned before them; but, by the advice of his friends, he went to *England*, and continued there till the king's death. After the *revolution* he was settled at *Jedburgh*, where he finished his course with joy 1706. But to return.

On the 7th of *October* *Robert Garnock* hammerman in *Stirling*, *Patrick Forman* in the parish of *Alloa*, *David Fairie*, *James Stuart*, *George Lapsley* and *Alexander Rustel* were before the justiciary. They had all disclaimed the king's authority, and now adhered to their confessions, and were sentenced to be hanged at the *Gallow-lee*, between *Leith* and *Edinburgh*, on the tenth. *George Lapsley* got off, by means of some, who, being imprisoned for debt, and could not endure the godly exercises of the sufferers, broke prison for them, whereby several made their escape. *Robert Garnock* had been two years in prison. *James Stuart* was but a youth; he happened to come from the west to see a relation who was in prison at *Edinburgh*; his friend got out, and he, being found in the room, was brought before a committee of the council, and soon ensnared by their questions. When he was silent as to some things, *Sir George MacKenzie* threatened to pull his tongue out with a pair of pinchers. How hard it was to take up persons against whom no matter of fact could be proved, and to condemn them to death upon the answers they gave to their ensnaring questions, must be left with the reader. Before the jury withdrew, the prisoners gave them a signed *protestation*, advising them to consider what they were doing, and declaring that they were no rebels, nor disowned any authority which was according to the word of God, and covenants

1681. *covenants* which the land was bound by. They charged them to consider how deep a guilt *covenant-breaking* was, and put them in mind that they were to answer before the great judge of all for what they did in this matter. And, after mentioning several acts of their injustice and cruelty, they assured them that their blood would one day ly heavy upon them. However, the jury brought them in guilty, and, except *George Lapsley*, they were all executed at the *Gallow-lee*, according to their sentence. Their testimonies are in the *Cloud of witnessses*. The reason why the place of execution was changed, was because the multitude of executions at the cross and *Grass-market* drew such a number of spectators, who were so much moved at the conduct of the sufferers, that it was thought expedient to put them to death where the most notorious malefactors used to be executed. Their bodies were buried under the gallows, and their heads and hands set up on the *Pleasance* port.

Their
heads af-
terwards
buried
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Mr. *James Renwick* was a spectator of this execution, and, being now much esteemed by the suffering wanderers, to whom he had joined himself, he assembled some friends, and removed the bodies of these five martyrs, in the night-time, and interred them in the west-church-yard of *Edinburgh*. They likewise took down their heads and hands, but, not be able to bury them with their bodies, they interred them in the garden of one *Alexander Tweedie*, who was with them, where they lay till the 7th of *October* 1726. when they were taken up and buried on the 19th. *P. Walker*, who was present, gives a particular account of this interment, which I do not think material to insert here.

Procla-
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On the 8th of *October*, the council, being informed that many heritors, who had been forfeited in absence for *Bothwell*, resided at or near their own dwelling-houses, issued a proclamation for apprehending and bringing to justice all mentioned p. 92, 93. together with *Gilbert MacIlwraith* of *Dumchory*, *Tho. MacFarrow* of *Bar*, *John MacFarrow* of *Penjarrow*, *Henry MacFarrow* of *Ashalbany*, *Geo. MacChir* of *Benman*, *Henry MacIlwraith* of *Auchinsflour*, *John Alexander* of *Dumachry*, *MacUnken* in *Hilkertoun*, *Allan Bowry* of *Drumley*, *James Wood* in *Ayr*, *Pat. MacDougal* of *Freugh*, Messrs. *Will. and Alex. Gordons* of *Earlstoun*, *Mr. Will. Fergusson* of *Kaitloch*, *Dumbar* younger of *Machrimoir*, *John Bell* of *Whiteside*, *John Gibson* of *Auchincherro*, *Gibson* younger of *Inglistoun*,
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Gordon of Dendeugh, Grier of Dalgonar, Smith of Killoch, 1681. MacClelland of Bermageichan, Gordon of Craigie, Lennox of Irelandtoun, Gordon of Barharran, John Fowbertoun of Auchinrie, Dav. MacCulloch son to Ardwell, Will. Whitehead of Milnhouse, John Welsh of Cornley, Neilson of Gorfack, Rob. MacClelland of Barscob, his brother Samuel, Fullertoun of Nethermill, Geo. MacCartney of Blaiket, Gordon of Garrary, Gordon of Knockgray, Herron of Littlepark, Gordon of Holm, Gordon of Overbar, John MacNaught of Culgnad, Murdoch, alias laird Murdoch, And. Sword in Galloway, and John Malcolm in Dalry in Galloway.

On the 11th of October, John Drysdale, James Pollock, ^{Some banished.} James Wharrey, and John Anderson, were banished for conventicles. Nothing could be proved against them, only they would not swear against themselves.

The encouragement given to informers procured ^{Green-} great trouble to the non-conformists. There was par- ^{thiels.} ticularly an idle wicked fellow, one *Greenshiels* a weaver, who offered his service to some of the councillors; accordingly orders were given to the commanding officer at *Glasgow* to furnish this new tool with what men he pleased. Having got a party of about 20 soldiers he came about mid-night to the house of *Douchal* in the parish of *Kilmacolm*. The gentleman asking the reason of their disturbing him at that time of night, *Greenshiels* told him he had orders to search his house for field-preachers, &c. The doors were opened, but none could be found: However the gentleman was obliged to suffer them to quarter upon him for several days, till they had consumed most of the family provisions. At last they rifled the house, took away the silver spoons and knives, and then retired. It is true *Greenshiels* was taken, and, the spoons being found about him, was ordered to be whipt. This was one piece of justice. The reader may judge what the encouragers and employers of such a villain must deserve.

Some time in this month of *October* the duke of *York* ^{Duke of} made another progress to the west, and declared himself *York's* much pleased with the respect that was paid him, and ^{second} the entertainment he met with; but it seems he soon for- ^{progress.} got all this, when he afterwards declared that *it would never be well till all the south side of Forth were made a hunting-field*. His mirth was interrupted by a protest that was put into his hands by one of the societies, as

1681. he was going along the street in *Glasgow*. In this paper, they protested against the king in all his tyranny, heading, hanging, &c. the people of God; against the test, and welcoming a *papist* to *Scotland* with a draught of the blood of the saints at two different times, &c.' whereas, say they, he ought to be punished with such loading punishments as the word of God allows to be inflicted on profest idolaters, &c.' The duke, upon reading the paper, did not think it proper to take much notice of it for the present. However, it made him fullen and pensive; so that he hasted from *Glasgow* as soon as he could; and it is remarkable, that none concerned in it were ever discovered.

Sir Pat.
Hepburn.

Mr.
Veitch,
&c.

On the 3d of *November* Sir Pat. Hepburn of *Blackcastle* was fined in 200 L. *sterl.* for harbouring and conversing with Mr. Semple. The same day Mr. John Hutchison, indulged at *Dundonald*, Mr. James Veitch at *Mauchlin*, and Mr. Rob. Miller at *Ochiltree*, were charged for breaking their instructions, and excommunicating, or debarring from the Lord's table, those who had taken the declaration and bond of peace, and renounced the covenants, and, not appearing, were ordered to be denounced and put to the horn. On the 24th Mr. Veitch appeared before the council, and petitioned against the said sentence; but the advocate brought a new charge against him, for taking parents engaged, when he baptized their children, to bring them up according to the covenants, and for breaking his confinement. Mr. Veitch pleaded *Not guilty*; and, no proof being ready, was acquitted. Mr. Hutchison got not so well off; for when he appeared, some months after, and refusing to answer upon oath to his charge, was deprived of his *indulgence*. The same day Tho. Crawford was released from a long imprisonment; but Mr. Tho. Archer was still kept in hold until they should get witnesses against him. We shall hear more of him afterwards.

General
correspondence.

Matters were now come to a very low pass; for, on the one hand, the generality of the *presbyterian* ministers had so far complied with the *indulgence*, that they who strictly adhered to the principles maintained by Mr. Cameron and Mr. Cargill had no freedom to submit to them; and having none now to officiate among them as ministers, since the martyrdom of Mr. Cargill, they judged it expedient, in their present distressed circumstances, to form themselves into *societies*; and, the better to maintain

tain the common cause of religion and liberty, they united in a GENERAL CORRESPONDENCE, to be kept up through the shires severally, and all the shires conjunctly, where such as owned their testimony against *popery*, *prelacy*, *erastianism* and *tyranny*, resided. By this means, though they were still the more open to the resentment of their persecutors, yet they attained to a better understanding of one another, and were in a capacity to contribute more to their mutual advantage. They had their first general meeting, on the 15th of *December* this year, at the *Logan-house* in the parish of *Lefmahago* in the shire of *Lanerk*, where they agreed upon their testimony against the last parliament, the duke of *York*, a *papist*, as being commissioner, and appointed it be published, at the market-cross of *Lanerk*, on the 12th *January* next year. They held their general meetings once a quarter, or oftner, as they could most conveniently.

1681.

But the most remarkable thing about this time was the prosecution of *Archibald* earl of *Argyll* for his explanation of the TEST, which he had before opposed in parliament. This noble peer was the representative of one of the most ancient and powerful families in *Scotland*; and, by reason of the offices he held, was comprehended under the *Test-act*. When the earl was at *Edinburgh* he was ordered by one of the clerks of the council to attend next council-day, being the 3d of *November*, and take the *test*. The earl, upon this, went to the duke of *York*, and complained of this treatment, since the time appointed by the parliament was not yet expired; but all was to no purpose. The DUKE wanted to get rid of this noble peer, who stood in the way of his designs. However, matters were so managed, that the earl, with the approbation both of the duke and council, was permitted to take the oath with an *explanation*, which indeed was no more than the council themselves had done, as has been related, which makes their treatment of him the more base and unaccountable. Accordingly, on the third of *November*, his lordship came to the council, and, with a loud voice, made the following *explanatory* declaration, 'I have considered the *test*, and am desirous to give obedience as far as I can. I am confident the parliament never intended to impose contradictory oaths, therefore I think no man can explain it but for himself. Accordingly I take it in as far as it is consistent with itself and the *protestant* religion;

Prosecution of the earl of Argyll.

The earl's explanation of the test.

1681. ' on ; and I do declare I mean not to bind up myself,
 ' in my station, and in a lawful way, to wish and endea-
 ' your any alteration I think to the advantage of the
 ' church or state, not repugnant to the *protestant* religi-
 ' on and my loyalty ; and this I understand as a part of
 ' my oath.' Then the oath was administered to him,
 and immediately he took his place as a privy-council-
was dis- lor. Next day he waited on his royal highness, by whom
pleasing. he was told that his explication did not please him ;
 that he thought it was to be a short one, like *Queensber-*
ry's, and added, *Well, it passed with you, but it shall pass*
so with no other. The earl understood this as an accep-
 tance, and that, if he had committed any fault, the duke
 had passed it over, and would push the matter no far-
 ther. But his lordship was mistaken ; for a design was
 formed to prosecute him for high-treason on account of
his explanation ; and the same day *Argyll* was called be-
 fore the council, as a commissioner of the treasury, again
 to take the *test*. Whether this was not a requiring a
 vain repetition of the oath must be left to the reader.

A copy of The earl offered to take the *test* as before ; whereupon
it produ- a member of the council desired the words might be re-
ced. peated. His lordship, observing a design upon him, de-
 clined repeating, till, being urged by the duke, he told
 that he had committed to writing what he had delivered,
 to prevent mistakes, which was produced and read. *Ar-*
gyll would have signed it, but, perceiving their intenti-
 ons, he waved that : Upon which he was removed ; and,
 after they had concerted their measures among them-
 selves, was called in again, and told, that he had not
 given the satisfaction required by the act of parliament,
 and so could not sit in council, nor act as a commissioner
 of the treasury. His lordship made a proper reply, and
 removed. Next morning he waited on the duke, and
 expressed his surprise that what he had said, in his ex-
 plication should be thought a crime. The duke said,
A conse- That the words were unnecessary and groundless, and
rence be- that he was not tyed up by the oath as he imagined ;
tween the and, after a pause, added, *As I have already told you, you*
duke and *have cheated your self, you have taken the TEST.* Then the
the earl. earl answered, That he hoped his highness was satisfied.
 The duke then complained that the earl had not voted
 the council's explication. *Argyll* answered, That he was
 not present at the debates. The duke insisted, that he
 could not but understand the affair, and added, with a
 frown,

frown, You, with some others, have designed to bring 1681.
trouble upon a handful of poor CATHOLICKS, that would
live peaceably however they were used; but it should light
upon others. This was plain dealing, and shewed what was
to be expected when he should have the whole manage-
ment in his own hands. They parted, after the duke
had laid his commands on him not to go out of town
till he saw him again, which his lordship complied with.

The design against the earl being now formed, he was
ordered that same night to continue at *Edinburgh* till
next council-day, which was *November 8th*, when the
council sent one of their clerks to command him to en-
ter himself prisoner in the castle of *Edinburgh* before 12
o'clock next day, which he also complied with, and or-
dered the advocate to pursue him for *treason*, or such o-
ther crimes as shall be thought convenient, as the act of
council more fully bears; and at the same time they
wrote an account of their proceedings to the king; but
it is remarkable, that they ordered this noble peer to be
prosecuted, as above, before they had any permission from
the king. On the 22d of *November* the king's letter,
dated *November 15th*, was read in council, in which he
signified his approbation of their proceedings against the
earl; only required them to acquaint him before they
came to any sentence. But, before the council had this
return, *Argyll* was summoned to answer a charge of *lea-
sing-making, and depraving the king's laws*. And such was
the baseness of his lordship's persecutors, that they pre-
tended, nay one of them told him, that nothing was in-
tended against him but to take his heritable offices from
him. And when the duke of *York* was told that it was
hard measure, upon such grounds, to threaten such a
person with the forfeiture of life and fortune, he an-
swered, *Life and fortune! God forbid*; and, if he was pri-
vy to the designs then formed, he acted only suitable to
his religion. When the king's letter was received, the
advocate was appointed to form an indictment for trea-
son and perjury, as leasing-making and depraving the
king's laws, to which he was to answer, before the lords
of justiciary, on the 12th of *December* next.

On the 12th of *December* his lordship was brought
before the justiciary, consisting of the earl of *Queens-
berry* justice-general, lords *Nairn, Collingtoun, Forret,
Newton* and *Kirkhouse*. The indictment was read, in
which he was charged with declaring against and de-
faming

He was
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Strange
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His in-
dictment
read, &c.

1681. faming the act enjoining the *test*, by insinuating that the parliament had imposed a contradictory oath, and that the said oath was inconsistent with itself, and with the *protestant* religion, and consequently that the king and parliament had acted inconsistent with the *protestant* religion; and for treasonably invading the royal legislative power, &c. as the indictment itself more fully bears. An unbiaſſed reader, by comparing this nobleman's explication with his indictment, will ſee that the crimes charged upon him were without any ſolid foundation. Sir *George Lockhart* and Sir *John Dalrymple* pleaded with great accuracy and judgment for the earl, ſo that the debates continued till nine o'clock at night. There were but four of the lords with the juſtice-general at the debates. The lord *Nairn*, who was then old and infirm, could not continue all the time of the trial, and ſo went home to bed. The lords *Collington* and *Kirkhouse* inſiſted that the earl was not guilty of leaſing-making and treaſon. And the other two, *viz. Newtown* and *Forret*, inſiſted that he was. *Queensberry* not chuſing to give the caſting vote againſt the earl, *Nairn* was brought from his bed to the court, that numbers might ſupply the want of law and reaſon, and gave his vote againſt the earl. It was two in the morning before theſe things were over, and then they adjourned till next day, when the lords pronounced their interlocutor, wherein they declared the earl's defences, with reſpect to perjury, to be ſufficient, but not with reſpect to *treason* and *leaſing-making*.

Interlocu-
tor pro-
nounced.

Brought
in guilty.

The paper delivered by the earl, containing his explication of the *test*, was then produced as evidence againſt him; whereupon the jury withdrew, and in a little brought in their verdict that the earl was guilty of *treason*, *leaſing-making* and *leaſing-telling*, but not guilty of *perjury*. The council, upon this, met, and wrote an account of what had paſſed to the king; from all which it is evident that a deſign was formed againſt the earl's life. Biſhop *Burnet* ſays, 'No ſentence, in our age, was more univerſally cried out on than this. All people ſpoke of it, and of the Duke who drove it on, with horror. All that was ſaid to leſſen that was, that duke *Lauderdale* had reſtored the family with ſuch an extended juriſdiction, that he was really the maſter of all the *Highlands*; ſo that it was fit to attain him, that, by a new reſtoring them, theſe grants might be better limited.'

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However, all his friends were of opinion that he ought to provide for his safety. A gentleman was dispatched to court by the earl, who, as soon as the king's mind, in answer to the council's letter, was known, came off, and outrode the bearer of it. By him *Argyll* found that the sentence of death was to be passed upon him, and that the king would be prevailed with to yield to the execution; nay, before the gentleman's arrival, his lordship had notice, that on the 21st he was to be sent to the common jail, to which peers used to be removed a few days before their execution: And therefore, on *Tuesday* the 20th, about eight in the evening, he came out in disguise, and very narrowly escaped.

When the earl got out, he rode, without stopping, to a country ale-house near the house of Mr. *George Pringle* of *Torwoodlee*, who, by concert, was to meet him there, and conduct him to Mr. *William Veitch's* house in *Northumberland*. The earl went by the name of Mr. *Hope*.

Mr. *Hope* and Mr. *Pringle* came safe to Mr. *Veitch's*, while he was at *Berwick* visiting his friends, and continued there till *Saturday* se'enight when Mr. *Veitch* came home. The beginning of the following week Mr. *Hope*, Mr. *Veitch* and two servants set out for *London*; but they were obliged to part with the two servants on the road, to prevent suspicion, for the alarm of the earl's escape was now general, and a reward of 500 L. was offered to any who should apprehend him. However, he and Mr. *Veitch* got safe to *Battersea* near *London*, where they were conducted to the house of one Mr. *Smith* a sugar-baker, whose lady was a gentlewoman of great piety, prudence and generosity. He continued concealed in and about *London* till he got over to *Holland*. Bishop *Burnet* says, 'One that saw him knew him, and went and told the king of it; but he would have no search made for him, and retained still very good thoughts of him.' But to return to *Edinburgh*.

The day after *Argyll's* escape the council issued a proclamation for apprehending him; a copy of which they sent to the king, and next day had a return to their former letter, wherein his majesty, as an evidence of the good thoughts he had of the earl, allowed sentence of death to be passed upon him. Accordingly, on the 23d, the lords of justiciary, by virtue of an order of council, whose tools they were, passed sentence accordingly,

1681.

Made his escape.

Got safe to London.

p. 522.

Sentence of death passed upon him.

1681. accordingly, ordering the earl to be executed, when apprehended, in what manner the king should appoint. The parliament, after the *revolution*, was so sensible of the injustice of this sentence, that they not only repealed his attainder, but also allowed his son to bring action of damages for a considerable sum against the heirs of those judges who condemned his father. I shall only add here, that it was upon *this sentence* that *Argyll* was executed 1685. as shall be related in its proper place.

Ministers
persecut-
ed.

When the managers were disappointed by the earl's escape, they went on to persecute the *presbyterians*, especially their ministers, many of whom had not accepted the *indulgence*; and though they did not chuse to preach *in the fields*, because of the severity of the times, yet they preached as frequently in houses as they could with conveniency. The duke of York mightily carested the *bishops*, and supported them in all their measures against their *non-conform* brethren; for it is the pleasure of *papists* to see *protestants* devouring one another, so that there was scarcely a *presbyterian* came before the council that met with any favour. This appeared very evident in the case of the reverend Mr. *Frazer* of *Brae*.

Mr. Fra-
ser of
Brae.

This minister had been informed against for a *field-conventicle*, whereupon he and his bail were summoned before the council in *November* last; but, some of the members being assured that it was only a *house-conventicle*, the citation was dropt. Mean while, when Mr. *Frazer* went north, he was seized with an ague. His bail, Sir *Hugh Campbell* of *Calder*, proposed writing to the advocate, or bishop *Paterfon*. Mr. *Frazer* was against this, because, as he told Sir *Hugh*, did the *prelates* hear of his indisposition, they would push his citation the harder, that, in case of non-appearance, his bond of 5000 merks might be forfeited, &c. Nevertheless the gentleman wrote to the bishop, acquainting him that Mr. *Frazer* had not preached *in the fields*, and was now dangerously ill.

Summoned
before the
council.

The bishop, upon receiving this letter, ordered matters so, that next day Mr. *Frazer* was summoned to appear before the council on the 22d of *December*. Sir *Hugh* was a gentleman of a good estate, and had been bail for *presbyterian* ministers for upwards of 1700 *L. sterling*; and therefore they expected that Mr. *Frazer* would

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would not be able to attend, and Sir *Hugh's* bond for 1681. 5000 merks would be forfeited; but Mr. *Frazer*, rather than his bail should suffer on his account, notwithstanding his own indisposition, the inclemency of the season, and the danger his life was in, considering what stretches had been made in the case of *Argyll*, undertook the journey, and came to *Edinburgh* the day before the time appointed for his appearance.

The bishops and council were not a little surpris'd to see him at the bar. After some silence his indictment was read, wherein he was charged with preaching *in the fields*, and without authority, and venting pernicious and rebellious principles, &c. and, for proof, the matter was put to his oath. He desired a delay for a few days, but that was refused. However, he obtained liberty to speak, and in his speech told them, that he had not preached *in the fields* since he came from the *Bass*, nor yet without authority; that he had never preached seditious principles, nor doctrines inconsistent with the scripture and the *confession of faith* composed in king *JAMES VI's* time, which he conceived the last parliament had ratified; that he acknowledged magistracy as an ordinance of God, and owned the king's authority, even in ecclesiastical matters, as the *nursing father* of the church: But that it remained undeniable that this power of the magistrate was not privative of an *intrinsic* power in the church, granted her by Christ, for preserving and edifying herself; that he could not comply with the government of the church by *archbishops* and *bishops*, &c. and that, as to his practice, he endeavoured to keep a good conscience both before God and man, &c.

Some of the councillors were for releasing him; but the bishops were against it, and represented him as a dangerous man, that ought to be made an example of for the terror of others. They were intrusted with the drawing up of his sentence, by which he was ordered to pay 5000 merks for *conventicles*, and to be sent to *Blackness* till he paid it. While he was imprisoned at *Edinburgh* he preached to the prisoners on the Lord's day. All his petitions for liberty were for some time rejected; so that, after he had been six weeks in prison at *Edinburgh*, he was sent to *Blackness* castle, where he continued about seven weeks more. When the duke of *York* returned to *England* his friends

1681. embraced that opportunity to intercede for his release, upon giving bond that he should leave the kingdom. *Released.* Accordingly he was released and went to London, where we shall meet with him again.

C H A P. VII.

Of the declaration at Lanerk; some farther proceedings about the test; the actings of the council against conventicles; the publick executions; and other branches of persecution during the year 1682.

1682. **B**Y the act of parliament last year persons in publick offices had till the first of *January* this year to take the test; and though some few *papists* refused it, yet care was taken of them by the duke of York and his creatures, so that they were no great losers, which was not the case with *protestant* recusants.

On the 5th of *January* the laird of *Meldrum*, being appointed sheriff-depute of *East-Lothian*, was empowered to use all methods possible for suppressing *conventicles* there. On the 7th the council sent a list to the king of those offices and jurisdictions which were become vacant by the refusal of the test, and of those whom they thought were fit to succeed in them, which his majesty approved of. On the 9th the sentence of forfeiture was pronounced by the justiciary against *Geo. Arthur* of *Bunnahill*, *James Ure* of *Shargartoun*, *Donald Connel* in *Bucklyvie*, heritors in *Stirling-shire*, *Thomas Russel* of *Middleridge*, *Edw. Marshal* of *Kaemuir*, *John Taylor* elder in *Holehouse*, *John Shaw* son to *John Shaw* of *Easter-Greenhill*, *Geo. Mochrie* feuar of *Stonrig*, and *Thos. Fergusson* of *Finnarts*, in the shire of *Ayr*. These gentlemen were singled out among many others, who, in *November* last, were appointed to be prosecuted before the justices for being accessory to *Bothwell*.

Mr. Fergusson of Finharts

The last of those gentlemen was not accessory to *Bothwell*; he had an estate, and was a *presbyterian*. The only proof of any such thing was, that two men swore, that, a little before *Bothwell*, a boy came from a house in *Ballantrae*, where *Mr. Fergusson* was, and warned all the neighbourhood, who had a mind to join the party in arms, to repair to the said house to receive money and arms: But, had this been true, the reader is to judge for himself, whether it was a sufficient ground for a forfeiture

ture of life and fortune. Many were the hardships he 1682.
and his family were put to after this.

The sufferings of the family of *James Ure of Shargartoun* were likewise very considerable during this period. His house was frequently pillaged by parties of soldiers. When he was forfeited after *Bothwell*, where he behaved with courage, his rents and moveables were all seized, and many times parties were in search for him, but he happily escaped. His mother, a gentlewoman about 70 years of age, was put in prison at *Glasgow*, where she died, notwithstanding all the interest that was made for her. Mean while 100 l. Scots was offered to any who should apprehend *Shargartoun* dead or alive; but he escaped to *Ireland*, where he continued half a year. Then he ventured home, but was obliged to conceal himself in the fields; so that, during the winter 1684. he lay in the wood of *Balquhan* for several weeks. His lady was apprehended for conversing with her own husband, and carried prisoner to *Stirling*, with a sucking child on her breast, and from thence to *Edinburgh*, and put into the *Canongate* jail. At last the managers, being ashamed of this piece of conduct, thought fit to release her. *Shargartoun* survived his troubles, and lived till after the unnatural rebellion 1715. when he saw vengeance overtake some of his persecutors.

On the 12th the council ordered letters to be wrote *Vacant*
to the patrons of 21 parishes, now vacant by the mini-*parishes.*
sters refusing the *test*, to plant them with proper persons with all convenient speed; so that here were 21 of the *prelatical* clergy who scrupled the *test*. However, some of them got their scruples removed, particularly Mr. *Alexander Wood* minister of *Cockpen*, who, upon taking this oath, was ordered to get a new presentation to his parish. The same orders had been given to the magistrates of *Aberdeen* with respect to the ministers there. On the 12th of *January* the declaration appointed by the society of *general correspondence* was published at *Lanerk* according to their order; of which the following is a short abstract. 'Although we ought to take in good part what-
'ever God in his infinite wisdom hath — carved out
'unto us, — and acknowledge government and go-
'vernors as ordained by him, in so far as they rule
'and govern according to the rules set down by him in
'his word, and constitutive laws of the nation; — yet,
'when all these laws — are called and annulled by
pretended

Sufferings of the family of Shargartoun.

Declaration at Lanerk.

Informatory vindication, edit. 1744. p. 91, &c.

1682. pretended laws, and the highest of usurpation, and an inexplicable prerogative in matters ecclesiastick, and arbitrary government in matters civil, is arrogate, when a banner of impiety, &c. is displayed, — when the parliaments — are so prelimited by law, as that no true son of the state or church hath liberty to sit and vote there — What shall the people do in such extremity? Should they give their reason as men, their consciences as christians, and resign their liberties, fortunes, religion, and their ALL, to the inexorable obstinacy, incurable wilfulness and malice of those who, in spite of God and man, — are resolved to make their own will the absolute and sovereign rule of their actions? — Shall the end of government be lost through the weakness, wickedness and tyranny of governors? — Have not the people, in such an extremity, good ground to make use of that natural and radical power they have to shake off that yoke? — Which accordingly the Lord honoured us (in a general and unprelimited meeting of the estates and shires in Scotland) to do; a convention of unprelimited members; a convention of men who had only the glory of God and the good of the commonwealth before their eyes. At which convention HE was most legally, and by general consent, cast off by the declaration at Sanguhar. But that we may not seem to have done that, or yet to do the like, upon no grounds, — we shall hint at some of the many thousands of misdemeanors of the now cast off tyrant. — And, 1. at his very entry, at one blow, in his first parliament, he cut off the neck of that noble constitution of church and state which our noble and worthy ancestors had made. 2. Did he not take to himself a licentious privilege, the exalting himself into a sphere exceeding all measures divine and human, both in matters civil and ecclesiastick, making us a laughing-stock to the nations, — who say, we have only the law of letters instead of the letter of the law? 3. Hath he not adjourned and dissolved parliaments at his pleasure? 4. Hath he not seated himself as supreme head over all persons civil and ecclesiastick, — and oppressed the godly for conscience sake? — 5. Time will fail us to narrate what exorbitant taxes, cessings, &c. dilapidating the rights and revenues of the crown, for no other end but to employ them for keeping up a brothel rather than a court.----

6. He

6. He hath, in a late parliament, secured the succession to such a one, if not worse than himself, formed the test, &c. In the conclusion, they offer to prove that they have done nothing contrary to the ancient laws of the kingdom; but only endeavoured to extricate themselves from a yoke of tyranny, and to reduce church and state to what they were in 1648, 1649.

In the *informatory vindication* some expressions are acknowledged to be very exceptionable, such as the attributing to the publishers of the *Sanquhar* declaration the title of a *convention of estates*; and, in other expressions, seeming to appropriate authority to its own author: And, as to the matter of the *declaration* relating to their renouncing the authority that then was, enough has been said already. There were several present at the publication of this *in arms*, when a copy of it was fixed to the market-cross. Mr. *James Renwick* was employed in proclaiming this, but had no hand in drawing it up; otherways, says the reverend Mr. *Shields*, in some things it had been more considerately worded; for though he approved of the matter of it, and the reasons given for disowning the authority of the tyrant, yet he always confessed there were some expressions in it very unadvised. It was here they burnt the *test* and the *act of succession*.

When the news of this came to *Edinburgh*, the council, on the 14th of *January*, wrote to the king an account of the *declaration* that had been published, and made an act for burning the *solemn league and covenant*, the *declarations* published at *Rutherglen* and *Sanquhar*, and this at *Lanerk*. This was done with great pomp. A large theatre was erected at the cross, and some of the magistrates attended in their robes until these papers were burnt by the hangman; but it was taken particular notice of, that the bailie of *Edinburgh*, who attended on this service, and who gave the covenant into the hands of the executioner, had all his houses in the *Parliament-close*, which were reckoned the most stately in *Europe*, soon after reduced to ashes. Though all pains was taken to suppress the flames, yet they baffled every attempt, until those houses were laid in ruins.

The town of *Lanerk* was fined in 6000 merks for not hindering the *declaration* to be published there, though it was not in their power to prevent it, and the shire suffered exceedingly on this account; for major *White*

1682.

Renwick's life, p. 17.

Solemn league and covenant, &c.

Major White's instructions.

was

1682, was ordered to march thither with some forces, and, by the instructions he received, was impowered to get a list of all forfeited persons, to inform himself of the haunts and lurking places of the rebels, as they were called, of all that received or harboured them, and particularly of those concerned in the above declaration; to seize and apprehend them, to dissipate conventicles, &c. Many other commissions of this kind were afterwards given.

Com-
mission
to Cla-
verhouse,
&c.

On the 27th *Claverhouse* was sent into *Galloway* to execute military orders there; and, on the 30th, received a commission, as sheriff of *Wigtoun*, to punish all disorders, disturbance of the peace, and church-irregularities in *Kirkcudbright*, *Annandale*, *Wigtoun* and *Dumfries*. There was likewise a proclamation issued for furnishing the soldiers with corn, hay and straw for ready money; but, as this was neither observed, nor the delinquents called to an account, the country was exposed to no small oppression. The same powers were in a few days granted to major *White* and *Meldrum* in the shire of *Lanerk*, together with a justiciary power against all below heritors, who had been in what they called the rebellion. However, duke *Hamilton* had so much interest as to get these a little softened. On the 31st the council wrote to the king, and moved that the jurisdictions of the late earl of *Argyll* might be for ever annexed to the crown.

Parlia-
ment ad-
journd.

The parliament, which was to sit in *March*, was adjourned to the 17th of *April*, and from that to *November*; and though in one of these proclamations the king was made to say, that he will not soon part with so loyal and dutiful a parliament, yet no parliament sat any more during this reign. The ministry could carry on their designs without them.

Gray of
Chrystoun.

In this month *James Gray* of *Chrystoun*, venturing home to see his family, was, on a sabbath evening, seized by a party of dragoons, and carried in prisoner to *Glasgow*, and, after three or four weeks, to *Edinburgh*, where he lay a long time in jail, without being called before any court. After a year's imprisonment he was brought before the council, who attacked him with their ensnaring questions; but, because he owned that the matter of the covenant was lawful, and its obligation binding, and adhered to the principle of self-defence upon just ground, and refused to subject himself to the present church

church establishment, he was sent back to prison, where he lay more than two years. In the year 1684. a sentence of banishment was pronounced against him; and in August 1685. he was, without the least previous notice, hurried from prison, with about 140 more, and put aboard captain *Love's* ship, and was transported to *Jamaica*. They endured great hardships in their passage, by being crouded under the hatches, without having provisions sufficient for their support; nor any refreshment during the sickness wherewith not a few of them were seized. Many died of thirst. Some offered a crown for a draught of water, of which there was plenty, but were refused. After a three month's passage they were sold at *Jamaica*. Mr. *Gray* was old, being then near 60 years; and they who had the disposal of him refusing to part with him but for a large sum, he was imprisoned and fell sick. Being then apprehensive of his death, rather than lose all they thought proper to release him, upon his paying 15 *L. sterling*. He survived his troubles, and died in his native country.

On the 26th *William Harvey*, weaver in *Lanerk*, was before the justiciary, and indicted for being at the late rebellion, and at the publishing of the declaration. He was brought in guilty, and ordered to be hanged at *Lanerk* on the 3d of next month.

On the 22d the reverend Mr. *Patrick Warner* (after the revolution minister of *Irwine*) was apprehended in *Edinburgh* at the house of his mother-in-law Mrs. *Guthrie*, by a party of the guards commanded by captain *Maitland*, joined with some of the town-company commanded by major *Johnstoun*. They violently broke open the doors, ransacked the house, pulled him out of his bed, and took with them upwards of 20 copies of *Calderwood's* history, lately printed, and mostly at his own charges, with some hundreds of the *second book of discipline*, and several other valuable books and manuscripts; nay, they searched his pockets, and took what money they could find, together with his watch; but captain *Maitland* was so kind as to oblige them to restore the watch to Mrs. *Warner*. *Johnstoun* and his men carried off her wearing apparel and linen. The books and manuscripts were taken to the council-house, but were never returned. He was immediately carried to the *Abbey-guard*, where he continued till next morning.

The

1682. The same night Mr. *William Livingston*, son to the reverend Mr. *John Livingston* at *Ancrum*, was apprehended with all his papers; but, after a month's imprisonment, was released upon finding bail to appear when called.

But, *Mr. Warner* met with severer treatment. He had been licensed 1669. and was ordained at *London*, with a view to be settled in the *East-Indies*. Accordingly he arrived there, and was about three years minister at *Fort St. George* upon the coast of *Cormandel*. He returned to *Scotland* about the year 1677. and preached in houses and in the fields, as he had opportunity, till *Bothwell*. Then he retired to *Holland*, where he continued till last year, when he came and married a daughter of the reverend Mr. *William Guthrie*. The day after he was apprehended he was carried up the street, to the parliament-close, under a guard of a whole company of musqueteers, as if he had been some notable malefactor, and brought before a committee of the council, where he was examined as to his preaching in the fields, the *primate's* death, the papers found about him, the *second book of discipline*. They had nothing to lay to his charge but *non-conformity*. He was several times before them, and though they were at great pains to find a sufficient accusation, yet they laboured in vain. He continued in prison, without receiving any indictment, not for want of inclination, but matter.

Examined.

His behaviour in prison.

Released.

Went to the north of England.

During his imprisonment he lectured and preached twice every Lord's day to the prisoners, and some others, who, by the interest of friends or money, could be admitted. After sundry applications of his friends, it was proposed that he should give bond not to preach any more, unless he conformed, or remain perpetually in prison, or leave the kingdom, and give bail not to return without permission, under the penalty of 5000 merks. He chose the last, and the council, on the 7th of *June* 1682. ordered him to be released and depart the kingdom in 15 days. When that time was expired he went to *Berwick*, and continued for a little on the *English* side of the *Tweed*, till he could get his family removed; then he hired a small house near the villiage called *Spittle*, where he preached sometimes in his own, and sometimes in a neighbouring house. But his enemies in *Scotland* being vexed that he went no farther, procured an order from the king and *English* council for apprehending

ing him, so that here began a new period of his sufferings. Mr. Warner, being apprehensive of danger, found it necessary to retire farther into *England*, and at last took a house in *Newcastle*, whither he brought his family. 1682.

By this time colonel *Struthers* had repeated orders to seize him; and accordingly he was apprehended at a friend's house, and carried that night to a private house five or six miles distant, and kept prisoner there. Mean while some of them, pretending to inform his wife and bring him linen, &c. went and rifled his house, and took with them what papers they could find. Next day he and his papers were brought to colonel *Struthers*, who was a justice of peace. Mr. *Warner* shewed him the act by which he was released and banished from *Scotland*, and civilly asked him what he had to lay to his charge since he came to *England*, and at the same time assured him he had never returned into *Scotland* since that time. Taken up there.

The colonel being surprised, called for him next day, and asked if he was willing to take the oath of allegiance. Mr. *Warner* desired time to consider of it. Upon this he was committed to *Newcastle* jail, his mittimus only bearing that he had refused to take the oath of allegiance. Required to take the oath of allegiance. He continued here seven or eight weeks, till the sitting of the assizes. Being informed that the said oath would be put to him, he resolved to take it if he found that there was nothing of the supremacy in it.

When called before the court he humbly desired to be satisfied in a few things, which the judge permitting, he asked, 1. 'Whether this oath did bind him to allegiance to the king's successors *de facto*, as well as *de jure*?' His questions concerning it. The judge answered, It did not. 2. Whereas the oath binds him to be obedient to the king and laws, he desired to be satisfied, 'whether, in case any of the laws should be such as he could not in conscience give active obedience to, he was bound, by this oath, any farther than either to obey or suffer according to law?' The judge declared he was bound no farther. 3. Since he was a stranger in *England*, and perhaps might in a little time remove elsewhere, he desired to know, 'whether he was, by the oath offered just now, bound to give the obedience formerly mentioned any longer than he was in *England*, seeing, when he comes to live in another nation or kingdom, it may be supposed

1682. ' posed he must be obedient to the laws thereof, and yet
 ' those, in several things, may be different from those
 ' in England?' The judge told him his obedience was
 no longer due than while he continued in *England*. He
 took the oath upon these terms, and was released.

Remarks. The reader cannot but observe, that though matters
 were very bad in *England* at this time, yet tyranny and
 oppression were not arrived at that height as they were
 by our *prelatical* managers in *Scotland*; for here Mr.
Warner was allowed to propose his scruples in open
 court concerning the oath of *allegiance*; but in *Scotland*
 a noble peer was condemned to die only for offering
 an explanation of the self-contradictory test. Mr. *War-*
ner's charges by his jail-fees, the loss of his books and
 papers, &c. were upwards of 100 *L. sterl.* He retired
 soon after to *Rotterdam*, where he continued till 1687.
 when he returned to his native country, and was very
 useful in the church of *Scotland* for many years after
 the revolution.

Other suf- From what Mr. *Warner* suffered, one may form a judg-
ferers. ment of the sufferings of many others in this period, of
 whom my author could give no account, such as profes-
 sor George Campbell of *Edinburgh*, Mr. Thomas Hog
 at *Kiltearn* in the shire of *Ross*, Mr. James Veitch at
Mauchlin, Mr. Alex. Pitcairn at *Drön*, Mr. James Kirk-
 town, after the revolution minister at *Edinburgh*, Mr.
 Alex. Hasty at *Glasgow*, Mr. Rob. Langlands, first at
 the barony-church in *Glasgow*, and then at *Elgin* in
Moray, Mr. Will. Archibald, Mr. Joh. Harroway, Mr.
 Pat. Cowpar, and others, who were refugees in *Holland*.
 This was also the case of several noblemen and gentle-
 men, as the earl of *Lowdown*, lord *Strathnaver*, after-
 wards earl of *Sutherland*, and lord *Stair*.

Recusant On the 23d of *February*, the council considering that
clergy. several of the clergy in the diocese of *Aberdeen* had
 taken the test, passed an act allowing them to return to
 their charges, and enjoy the profits and emoluments of
 the same, as Mr. John Menzies professor of divinity in
 the *Marshall-college*, Mr. Pat. Simpson and Mr. Will.
 Blair ministers of the said burgh, Mr. James Garden
 professor of divinity in *Old Aberdeen*, Mr. Geo. Ander-
 son in *Mortlich*, Mr. Joh. Barclay at *Cruden*, Mr. John
 Corkbrien at *Old-deer*, and Mr. Pat. Innes at *Banff*.
 Mr. Rob. Irvine at *Towie*, and several other of the re-
 cusant

infant clergy, getting the better of their scruples, were admitted to take the *test*.

On the 3d of *March* *William Harvey* was executed at *W. Harlanerk*. He had liberty to deliver his last words, though the drums were ready to beat. He declared himself a *presbyterian*, and that, in his judgment, people should obey the king in his lawful authority. He likewise declared that he believed the scripture, the confession of faith and catechisms, adhered to the *covenants* and all the faithful testimonies since 1660. and that he was for kingly government according to God's word. He died with much composure. And though he was made a sacrifice to the *Lanerk* declaration, yet it does not appear that he had any concern in *that*, but only in proclaiming the *west-country* declaration before *Bothwell*.

A few days after this the council, being informed of some conventicles, gave proper orders for punishing the persons guilty with the utmost severity of the law.

Mean while the duke of *York*, having signified his intention of going to *England* to meet the king at *New-market*, required *Queensberry* to follow him, in order to lay before his majesty the state of the treasury; and, says bishop *Burnet*, 'at parting he recommended to the council, to preserve the publick peace, to support the church, and oblige all men to live regularly in obedience to the laws.'

The duke went to England, p. 523. 524.

The bishops made their court to him with so much zeal, that they wrote a letter to the archbishop of *Canterbury*, to be communicated to the rest of the *English* bishops, setting forth, in a very high strain, his affection to the church and his care of it: And, lest this piece of merit should have been stifled by *Sancroft*, they sent a copy of it to the press, which was a greater reproach to them than a service to the Duke, who could not but despise such abject and indecent flattery. My author says Bishop *Paterfon* went up with the duke, and probably carried the letter, which was as follows.

Mar. 9th, 1682.

May it please your grace,

His royal highness having passed from hence on Monday last, being called by the king to attend his majesty at *New-market*, we should prove very defective in duty and gratitude, if, upon this occasion, we should forget to acknowledge to your grace, how much

Bishops letter.

1682. much this poor church and our order do owe to his princely care and goodness, that his majesty and the worthy bishops of *England* may from you receive the just account thereof. Since his royal highness's coming to this kingdom, we find our case *much changed to the better*, and our church and order, which through the cunning and power of their adversaries, were exposed to extreme hazard and contempt, sensibly relieved and rescued; which, next to the watchful providence of God, that mercifully superintends his church, we can ascribe to nothing so much as to his royal highness's *gracious owning and vigilant protection of us*. Upon all occasions he gives fresh instances of his eminent zeal against the most unreasonable schism, which, by renting, threatens the subversion of our church and religion, and concerns himself, as a patron to us, in all our publick and even personal interests; so that all men take notice of his signal kindness to us, and observe, that he looks on the enemies of the church, as adversaries to the monarchy itself; nor did we ever propose or offer to his royal highness any rational expedient, which might conduce for relief or security of the church, which he did not readily embrace and effectuate. The peace and tranquillity of this kingdom is the effect of HIS prudent and steady conduct of affairs, and the humours of our wicked fanatics are much restrained from dangerous eruptions, upon their apprehensions of his vigilance and justice; for they dread nothing so much as to see him upon the head of his majesty's councils and forces against them. We hope your grace will make our dutiful acknowledgments to his royal highness, for all his princely favours to us, and give him the most fervent assurance of our sincere endeavours to serve him, and of our most fervent prayers for his temporal and eternal happiness, as the bound duty of us. May it please your grace, your grace's most humble, &c. This famous letter was subscribed by the archbishops of *St. Andrews* and *Glasgow*, the bishops of *Edinburgh*, *Dunkeld*, *Galloway*, *Brechin* and *Dumblain*, and was published at *London* on the 28th of *April*. When the duke was gone, the councillors were ordered to stay at *Edinburgh* till his return. On the 21st lord *Livingstone* and the marquis of *Athole* were impowered to act against conventicles, and had soldiers to assist them, as was likewise the earl of *Linlith-*

gow on the 30th. On the 27th, *Christian Fife*, a poor 1682
illiterate woman, was prosecuted before the justiciary for
high treason, for beating one Mr. Ramsay in the old-kirk
of Edinburgh, and declaring that she thought the king
no lawful king, &c. She was sentenced to be hanged on
the 7th of April, which was done accordingly.

On the 4th of April *Thomas Greg* merchant in Car-
rick, travelling with his pack, was seized by *Claver-*
house, and, after his money and goods were taken from
him, was carried first to *Newtown* in Galloway, and next
to *Dumfries*, where he was imprisoned, and had been
starved to death had it not been for the charitable sup-
plies of good people. After eleven days imprison-
ment, without any trial or sentence, he and sundry o-
thers were put aboard a ship at *Leith* bound for *Hol-*
land, and gifted as recruits there.

On the 7th *Robert Fleming* of Auchinfin, *Hugh Mac-*
Ilwraith of Auchinfloor, major *Joseph Learmont* and *Ro-*
bert MacGlelland of Barscob, who, with several others,
had been forfeited in life and fortune, having been ap-
prehended, were brought before the justiciary, and,
without any farther trial, ordered to be executed at
the Grass-market of Edinburgh on Wednesday the 12th;
but it seems all of them got off through interest. *Bar-*
scob made some compliances, and was of use to the ma-
nagers afterwards.

R. Fle-
ming of
Auchin-
fin, &c.

On the 23d the reverend Mr. *Henry Erskine* was ap-
prehended, when at family-worship, by *Meldrum* with
a party of soldiers, and sent prisoner to *Melrose*. Next
day his nephew *James Erskine* of *Shielsfield* became bail
for his appearance, when called, in the sum of 5000
marks. He was ordained minister at *Cornhill* in the
north of England about 1649. and was ejected by the
act of uniformity. He afterwards returned to Scotland,
where he preached, sometimes in the fields, and fre-
quently in his own house, till September last year, when
he was rendered incapable of preaching or praying by
a violent indisposition of body. *Meldrum*, on the
8th of May, called for him and his bail, and, having
given up the bond, carried him prisoner to *Jedburgh*,
where he was a second time released, upon bail to ap-
pear at Edinburgh on the 12th.

Mr.
Henry
Erskine
apprehen-
ded.

Mean while the duke of York arrived on the 8th,
and immediately told the council, That it was his ma-
jesty's pleasure the lord president, afterwards earl of
Aberdeen,

Change
in the
ministry,

1682. *Aberdeen*, be chancellor, *Queensberry* treasurer, and the earl of *Perth* justice-general. This last, who soon after turned *papist*, being now at the head of the criminal court, the sufferers could expect no favour, and their reasons for continuing to disown the then authority could not but be strengthened.

The duke
ship-
wrecked.

p. 523.

The duke was shipwrecked on his return. He and several more were saved in the boat; but the earl of *Roxburgh*, the laird of *Hopeton*, Sir *Joseph Douglas*, the lord *Obrian*, with the duke's brother-in-law Mr. *Hyde*, and several others, were lost. Bishop *Burnet* tells us, 'That, as he was going back to bring the dutchess, the *Glocester* frigate that carried him struck on a bank of sand. The duke got into a boat, and took care of his dogs, and some unknown persons, who were supposed, from that earnest care of his, to be priests. The long-boat went off with very few in her, though she might have carried considerably more than she did. 150 persons perished, some of them men of great quality. But the duke took no notice of this cruel neglect, which was laid chiefly to *Lep's* charge.'

Mr.

Erskine.

On the 12th Mr. *Henry Erskine*, notwithstanding of his being seized with an *ague*, came to *Edinburgh*, and was brought before a committee of the council, where, after some previous examination, the advocate asked him if he would bind himself to preach no more at *conventicles*. He answered, 'My lord, I have my commission from Christ, and, though I were within an hour of my death, I durst not lay it down at any mortal man's foot.' His affair was delayed till the sixth of *June*.

Duke re-
turns to
England.

Mean while, on the 15th of *May*, the duke and dutchess of *York* set out for *England*, whither he could now repair with ease, when the patrons of liberty were suppressed, and the vilest men were exalted.

R. Gray
executed.

On the 17th one *Robert Gray* an *Englishman*, and consequently none of their subjects, having been apprehended about ten months before, upon what pretence is not known, was before the justiciary. They had nothing to lay to his charge when he was seized. But some time last month he wrote a letter from prison, in answer to one he had received from *John Anderson*, wherein he approved of what had been done in casting off the tyrant; and called the oath, appointed by the last parliament, the *black test*. He owned the letter, and

and the expressions in it to be his opinion, and for this was condemned to be hanged in the *Grass-market* of *Edinburgh* on the 19th, which was executed accordingly. His testimony is in the *Cloud of witnesses*, wherein he justly observes, that they were unjustly taking away his life merely for adhering to his principles, and had no matter of fact to prove against him, &c.

When he was brought to the council-house, and desired to purge the city of blood, he told them that judgment would overtake the city for the innocent blood that had been shed there. At the place of execution he sung *Psalm* lxxxiv. and read *John* xv. and, after he had prayed, went up the ladder, and, looking about to the multitude, said, 'Sirs, you are feeding your

His behaviour.
Cloud of Wit. p. 188.

'eyes upon me, but what see ye upon me? Surely you see not the wrath of God upon me: But, if you would look up to the heavens, you might see the wrath of an angry God against yourselves. — I am brought out of another nation to own that COVENANT which ye have broken. — Glory, glory, glory be to his name, that ever he gave me a life to lay down for him, in witnessing against his enemies, and the wrongs done to my Lord and master Jesus Christ. P. 189.
— As for you who are the remnant of the Lord's people, — keep your ground, and beware of turning aside to one hand or another; and I will assure you the Lord will prepare a *Zoar* for you. Cleave to truth and to one another, and, as sure as God lives, ye shall see yet glorious days in *Scotland*; for I die in the faith of it, that he is on his way returning to the land; but wo! wo! wo! will be to those who are enemies and strangers to him.' After he had prayed a little within himself he was turned over.

The day after this execution the council, in consequence of what the duke of *York* recommended to them at his departure, gave instructions to general *Dalziel* to march with some soldiers to the shires of *Lanerk* and *Ayr*, and to send the laird of *Meldrum*, and what officers he should judge proper, to the shires of *Roxburgh*, *Selkirk* and *Berwick*.

General Dalziel.

The general's instructions were very extensive. He was, among other things, to hear and consider what proposals duke *Hamilton* and the other commissioners of the shire would make for securing the peace of it for the

His instructions.

1682. the future, — to call for a list of such rebels as had not yet submitted, to hear what submission any of them would make, to think upon proper methods for apprehending any of them, or of any vagrant preachers, and for making persons, both innocent and guilty, keep their parish-churches, &c. The general and those commissioned by him obeyed these instructions.

*A riot in
Dron.*

On the 29th the council, having information of a riot in the parish of *Dron* upon Mr. *Drummond*, ordered a company of foot under captain *Maitland* to quarter on the parish, and to receive orders from the marquis of *Athole*, and apprehend those concerned in it, especially Mr. *Alex. Pitcairn* and his beadle, who were reputed to have promoted it. Some prisoners were upon this afterwards sent in to *Edinburgh*, and the marquis of *Athole* had thanks for his diligence.

*Messrs.
Erskine
and Lin-
lithgow
fined, &c.*

On the 6th of *June* Mr. *Henry Erskine* was indicted before the council for preaching at conventicles, disorderly marriages and baptisms. He denied the whole, and pleaded his indisposition since 1681. But, because he would not swear against himself, he was sentenced to pay 5000 merks fine, to go that night to the prison at *Edinburgh*, and next day to the *Bass* till the fine was paid. Mr. *John Linlithgow* of *Redpath* was prosecuted with him, and received the same sentence. But what was the consequence with respect to him my author does not know. Mr. *Erskine*, through the interest of some friends, escaped going to the *Bass*, and was allowed to depart out of the kingdom. He retired to the north of *England*, where he lived somewhat at ease for two years and a half. Then he was apprehended, and was for some time a prisoner. After he was released he continued preaching every Lord's day at *Monnilaur* till 1687. when he returned to *Scotland*, and kept a meeting-house till the revolution, when he was called to be minister at *Churnside*, where he died 1696.

*Commis-
sion to A.
Atchi-
son.*

On the 8th of *June* the council gave a commission to *Andrew Atchison* writer in *Edinburgh*; under the direction of the lord *Montgomery*, Sir *Archibald Stuart* of *Blackhall*, &c. to proceed against persons guilty of church disorders in the shire of *Renfrew*, and for apprehending rebels, vagrant preachers, or the harbourers of them, &c. The officers of the army were com-

manded

manded to assist in prosecuting the ends of this com- 1682.
mission.

Next day the following ministers were outlawed, viz. Ministers
messrs. James Rymer, Robert Gillespie, Thomas Arnot, outlawed.
John Harroway, John Fergusson, John Gillespie and John
Moncrief.

The same day Mr. Thomas Archer, who had since Ju- Mr. T.
ly last year been in prison for non-conformity, was re- Archer
leased. While in the Canongate jail he is said to have released.
made himself master of the Hebrew, Chaldaick, Syriack,
and some other oriental languages. He went over to
Holland, and improved himself in all the valuable
branches of literature, and was there ordained by Mr.
Fleming and other Scots presbyterian ministers then at
Rotterdam. We shall hear more of him afterwards,
when he came over with Argyll.

The council, on this 9th of June, authorised duke Commis-
Hamilton, and others, to grant safe conduct to such of sion to
the reputed rebels as petitioned for it under a becom- duke
ing sense of their rebellion, and upon signifying their Hamilton,
resolution to live regularly for the future. This com- &c.
mission was to continue only to the 3d of August. It
was afterwards lengthened out to the 15th, and then to
the 6th of September. Some petitions were presented,
and the petitioners allowed to come in before the coun-
cil. But few who were concerned in Bothwell took the
benefit of this, because the test was imposed on all who
came before the council.

On the 15th the societies united for correspondence had Societies
their general quarterly meeting at Tala-lin in the parish meet at
of Tweedsmuir in the shire of Peebles, and used their ut- Tala-lin.
most endeavours against the errors of James Russel and
others, who had run into the extravagancies of John
Gib. The curate of the parish acquainted the council
with this meeting, which gave rise to a most virulent
proclamation. Some of them it seems were in arms,
but their number was small, not near to what they were
represented in the proclamation I shall just now give an
abstract of.

Mean while, on the 7th of July, one Robert Nairn, Robert
in the parish of Bonhill, was brought under a series of Nairn.
troubles. The fine which was laid upon him some time
last year was now exacted. He was forced to quit his
employment, leave his house and family, and dismiss his
servants. His house was frequently rifled.

1682. About this time *John Bredin* in the same parish, *John Flockhart* in the *Hole of Kippen*, and *Thomas Thomson* in *Easter-couchland*, were, for mere non-conformity, harrassed by the oppressions of fines, quarterings, and the like.

Proclamation
for disco-
vering,
&c. cal-
led the
Hue and
cry.

The council, on the 8th of *July*, published a most severe proclamation in the king's name, setting forth, That, of late, some *traitors, runnagadoes and fugitives* had assembled, about the number of 80, with forbidden weapons, and in an unlawful manner, near to *Tala-lin* in the shire of *Peebles*; and that the people of that country had been so deficient in their duty as not to give timely notice of such meetings either to the council or sheriff of the shire; and therefore they commanded all the subjects in town and country throughout the kingdom, upon knowledge or information that any number of men meet unlawfully in arms, or appear in company in any place, or where any one or two of such as are declared *traitors or fugitives* shall repair, that they presently give intimation of it to the chancellor, or such of the council as shall be at *Edinburgh* for the time, or to any commander of the forces that shall be nearest, and to the sheriff of the shire, steward of the stewartry, &c. where the said meeting or persons appear, or are informed to be, and that within the space of *one hour at most* for every three miles distance they are at the time from *Edinburgh*, or from the nearest commander of the forces, sheriff or other magistrates. Upon this information all sheriffs, magistrates, &c. were required to assemble a sufficient number of the subjects, with whom they were to search for and apprehend such persons, and pursue them till they are apprehended or expelled out of their jurisdictions, and, upon their flight, to acquaint the magistrates of the next shire, who are required to do the same, and so from shire to shire till they are expelled the kingdom. And whoever were refractory, when required, were to be treated as being art and part with them.

Remarks. The proclamation, of which this is but a short abstract, speaks for itself, and sufficiently shews the spirit of the managers. The *society-meetings* were held with the utmost secrecy. The occasion and design of them we have already shewn; but now the proclamation for the *Hue and cry*, as it was called, was published, which could

could not but expose the poor wanderers to the greatest 1682.
oppressions and calamities. When the administration
was in such hands we need not wonder tho' things still
grew worse and worse ; for they next granted not on-
ly a council-power, but also a justiciary-power to some
officers of the army, and others of desperate fortunes
and ill morals.

Accordingly, on the 3d of *August*, the council, con-
sidering how remiss magistrates were in punishing those
that kept *conventicles*, withdrew from ordinances, &c.
and in suffering those in the late *rebellion* to live in
quiet, &c. ordered a commission to be given to major
White, and the laird of *Meldrum*, to meet and confer
with sheriffs, bailies of regalities, and other magistrates,
and call before them, when and where they shall think
proper, all persons, whether in town or country, whe-
ther heritors, tenants, or others, guilty, or suspected
to be guilty of withdrawing from ordinances, &c. since
the *indemnity* 1679. to hold courts, to pronounce sen-
tence, and order the same to be executed upon the
guilty. And, if the magistrates should refuse to con-
cur, the said commissioners had power to act by them-
selves, and to call the magistrates in the shires under
their jurisdictions to account for their diligence against
the persons guilty of the said disorders. The com-
missioners were also impowered to inform themselves
of those who were in the late *rebellion*, and yet lived
in their bounds, and enjoyed their rents and move-
ables, that they might take an inventory of them, to
sequester them for his majesty's use, and pursue and
apprehend the rebels themselves, and the harbourers
of them, in order to their being brought to justice.
They likewise ordered a *justiciary*-power to the said ma-
jor *White* and the laird of *Meldrum*, with authority
to call before them any of the late *rebels*, not being
heritors, to bring them to a trial, and pass sen-
tence upon them, as they shall be brought in innocent
or guilty.

By this act it is very plain that the executive power
was taken out of the hands of inferior magistrates, and
put into those of their own creatures ; and the offi-
cers of the army had now the power of life and death.
In consequence of this act divers kinds of commissions
were granted, which I shall not here insert. *White* and
Meldrum received their commissions in the terms of the
act.

1682. act. Commissions of the same nature were, about the end of the year, granted to *Crawford of Ardmillan*, the earl of *Linlithgow*, *John Skene of Hallyards* and *Kenneth MacKenzie of Suddie*, which last was for the northern shires of *Ross* and *Gromarty*.

Thomas
Lauch-
lan.

The same day *Thomas Lauchlan*, who was one of those forfeited, and ordered for execution when apprehended, was before the justiciary; and, on the 13th, was ordered to be hanged at the *Grass-market* of *Edinburgh* on the 16th.

Mr.
Kennedy.

On the 29th of *September* the advocate was ordered to prosecute one *Mr. Robert Kennedy* for being in the rebellion 1679. and for field-conventicles since the indemnity; but the issue is not known.

On the 10th of *October* the earl of *Middleton* was made conjunct secretary with the earl of *Moray*; so that, by the alterations which were made, many of the duke of *York's* creatures had the management of affairs put into their hands.

James
Robert-
son ap-
prehended.

Some time this month *James Robertson* in *Stonehouse* in the shire of *Lanerk*, who usually travelled with a pack, coming to *Kilmarnock*, went to see an acquaintance who was in prison there. While with him, without the least offence or provocation, his pack and goods were taken from him, and himself carried to the guard-house, where he was kept close prisoner for 10 or 12 days. During which time he was brought before major *White*, and, refusing to give his oath *super inquirendis*, was most barbarously treated. The major pulled him by the nose, and wrung it till the blood gushed out. *A fit person this to be vested with justiciary-power!* Then he was sent to prison; and, when he and his fellow-prisoner offered to worship God, the captain of the guard came with fury, pulled the bible out of his hand, and swore he would burn it if they offered to be thus engaged. After a few weeks he was carried to *Edinburgh*. At *Linlithgow* he was pressed to drink the king's health, and, upon refusing, the soldiers treated him with the utmost rudeness, by tying his head and feet together, and leaving him all night in that posture. Next day he was carried to *Edinburgh* with his feet tyed under the horse's belly, and in *December* next was put to a violent death, as shall be related in its place.

Alex.
Hume
before the
justiciary.

On the 15th of *November* *Alexander Hume* portioner of *Hume* was indicted before the lords of justiciary for rising

rising in rebellion against the king, marching up and down in arms, rendezvousing with the rebels in *Bewly-edge, &c.* But, as there was no proof against him, the lords dropt the process. Nevertheless, because he could not take the *test*, he was kept in prison till the 20th of *December*, when he was again indicted by the advocate.

Mean while, on the 16th, dame *Katharine Rig* lady *Lady Cavers* appeared before the council for being present at *conventicles* since 1679. and for having heard messrs. *Cargill, Arnot and Semple*, declared traitors, and *Thomas Douglass, Archibald Riddel and James Osburn*. They had no proof; but, because she would not swear against herself, they fined her in 500 *L. sterling*, and sent her to prison till she paid it, and found bail to be present at no *conventicles*. She continued a prisoner in *Stirling-castle* till the end of the year 1684.

On the 11th of *December* *James Robertson* before J. Robertson, with *William Cochran* in *Carnduff*, and *John Finlay* in the parish of *Kilmarnock* were indicted before *etc in- dicted*. the justiciary for high treason. Their indictment was founded on the answers they gave at their previous examination, for no matters of fact were laid to their charge.

The examination of *James Robertson* before a committee of the council was as follows: Q. Is the king your lawful prince, yea, or not? A. Since ye make your questions matters of life and death, ye ought to give time to deliberate upon them; but, seeing I am put to it, I answer, *As he is a terror to evil doers, and a praise to them that do well*, he is, or he is not. Q. Were *Pentland* and *Bothwell* acts of traitory? A. They being in their own defence, and the defence of the gospel, they were not acts of traitory and rebellion, self-defence being always lawful, which I prove from the confession of faith, whereon you ground yourselves in that article, which is, *That subjects may resist unjust violence and tyranny*. Q. Wherein lyes his tyranny? A. If robbing the privileges of the church be not an act of tyranny, I refer to be judged. Q. Is the king a tyrant? A. I refer to his obligation in the coronation-oath, and his present actings and practices, in robbing the privileges of the gospel, with the usurpation of the church's liberties and the prerogatives royal of Jesus Christ the Anointed of the Father, in making himself *supreme*; and I refer it to persons at home and nations abroad,

1682. abroad. Q. Was you at *Bothwell-bridge*? A. Ye count it an act of traitory, and also rebellion; bear witness of it, and so make it evident. Q. Purge yourself by oath, so we offer to set you at liberty. A. I will say no more of it, for when I told the truth, to some of you, it was not believed. One of them said, Q. Now, I'll try if you are a man of parts: There was an act of parliament, when the *confession of faith* was made, declaring that the king was *supreme*, and it was owned by the *presbyterians* at that time. A. How could that be owned, seeing the *confession* itself was owned? Shew me the act. But it was not produced. Q. Was the bishop's death murder? A. When I am a judge, set on the bench, I shall pass sentence thereupon. Q. Own you the *Lanerk* and *Sanguhar* declarations? A. I cannot own any thing till I see and consider it. Q. Do you keep your parish-kirk? A. If the minister has ought to challenge me with, let him do it. Q. Now, as a *test* of your loyalty, will you say, *God save the king*? A. Prayer ought to be gone about with composure and deliberation, and I am not in a composure for it. Q. Would you not seek a blessing if at meat? A. If you were present you would see. Then one of them said, These *principles* will condemn you. He answered, If I be absolved of God, it is the less matter though men condemn me. The examination of *William Cochran* and *John Finlay*, and their answers, were much to the same purpose. All the three owned their answers before the criminal-court; and, though no other proof was against them, they were condemned to be hanged at the *Grass-market* on *Friday* the 15th of *December*.

Beat by
the major
of the
guard.

When *James Robertson* offered to speak on the scaffold, he was interrupted by the drums; and, complaining of this, *Johnstoun* the town major beat him with his cane. This unprecedented cruelty to a dying man, together with the patience and cheerfulness of the martyr, convinced some of the spectators of the vileness of *prelacy* and persecution. And several told my author, that they dated their first serious impressions at the execution of these martyrs of *JESUS*. In his last testimony he speaks thus concerning his declining to say *God save the king*, 'The refusing to say *God save the king*, which we find 'was the order that was used in and among the children of *Israel* at the king's anointing to that office, 'and

and used in our own nation at the coronation. Now 1682.
 this, being only due to a *lawful king*, ought not to be
 given but to a lawful king, and so not to him being a
 degenerate tyrant; for, if I should, I thereby had said
 Amen to all that he hath done against the church and li-
 berties thereof, and to all his oppression, by unlawful
 exactions and raising of armies for no other effect but
 to deprive us of hearing the gospel, and troubling and
 molesting the subjects, both in their consciences and
 external liberties, and also to the bloodshed and mur-
 ders upon the people of God and free subjects of the
 kingdom, and to bid him *God speed*, contrary to 2d
 epistle of *John* ver. 10. And seeing it cannot be given
 to any that have thus used their power to a wrong
 end, and so much less when they have set him up as
 an idol in the room of *God incarnate*. And shall I pray
 to bless that man, in his person and government,
 which God hath cursed; for it cannot be expected
 but that he shall be cursed that thus ventureth on the
 bosses of the buckler of *God Almighty*.

William Cochran, in his last testimony upon the same
 point, has these words: 'Now, the main article of my
 indictment, upon which I have received my sentence
 of death from men, was, that I would not say *God*
save the king, which (as they have now stated him an
 idol in the Mediator's room) I could not do, without
 being guilty of saying *Amen* to all that he hath done
 against the church and people of God, and true sub-
 jects of the kingdom, and the ancient and fundamen-
 tal laws thereof; and have done contrary to 2d epist.
John ver. 10. — And also, ye know, that the taking
 the name of God in our mouths is a part of wor-
 ship, and so a worshipping of their idol; for, before
 our faces, they said, That he was king over all per-
 sons, and over all causes, which is a putting him in
 God's room.'

Now, the *prelatical* pamphleteers mightily extol the *Remarks*.
 clemency of this period, in being willing to pardon cri-
 minals, if they would only say *God save the king*, and
 exclaim against the obstinacy of those who would not
 comply with such easy terms; but I have laid before the
 reader their own reasons, in their own words, and he is
 to judge, whether it was not *conscience*, rather than ob-
 stinacy, that kept them from yielding to this. If they
 complied, they must either be serious in speaking the
 words,

1682. words, or not. If they were not, they knew it was a taking God's name in vain; and if they were serious, then they judged that thereby they approved of all that was done. But, not to detain the reader farther on this point, these three godly men were executed according to their sentence.

Galloway gentlemen prosecuted.

On the 11th of December, — Hay of Arrioland, Alex. Hunter of Colquhassen, And. Martin of Little-Ellies, Jam. Welsh of Little-Cloudon, MacCulloch of Barholm, Gordon second son of the deceased laird of Holm, messrs. Samuel Arnot and Thomas Warner ministers, Haliday of Mayfield, Will. Thomson younger of Moncraig, Kennedy younger of Knocknallonie, Alex. MacNaught younger of Overtoun, Tho. Crichtoun of Hole of Balwhassie, John Brown smith and heritor of Newtown, were, in absence, declared rebels, and outlawed, and their goods and chattles forfeited. But this sentence was thought too mild, for the managers wanted to finger their estates; and therefore, on the 18th, all the above-mentioned gentlemen, except Moncraig and Knocknallonie, together with William Grierison of Kolchquber were ordered, upon their being apprehended, to be executed as traitors, when and where the lords should appoint. However, it does not appear that any of them were executed. Alex. MacKie of Drumbuy and Ant. MacKie of Glencard, being then prisoners, were sentenced to be executed at the cross of Edinburgh, the first Wednesday of July next, but it seems providence interposed in their behalf.

Mr. Hume indicted.

Condemned.

Mean time Alex. Hume of Hume became a sacrifice to prelati cal rage; for though nothing worthy of death or bond was found against him, yet he was a second time indicted before the lords of justiciary on the 20th of December; but, though the witnesses did not agree, and the whole of the evidence was lame, yet he was brought in guilty of high treason, and condemned to be hanged at the cross of Edinburgh on Friday the 29th. The day was hastened to prevent any application to be made to the king in his behalf. And though his friends, fearing what would come, made interest, so that a pardon came down some days before the execution, yet the earl of Perth kept it up. Mrs. Hume begged the lady Perth, the morning of her husband's execution, to interceed for his life on account of her five small children; but her ladyship, throwing off all the tenderness of her sex, answered

answered her in language which my author did not chuse to insert. I shall only observe, that the reader may here see, that not only those who *renounced the king's authority*, but even those that had not as yet clearness to take that step, became a prey to the persecutors, when they had a mind to vent their rage. Mr. *Abstract of his last words.* Hume's last words on the scaffold expressed the spirit of christianity as much as any of the martyrs; and, among other things, he said,—— 'I am come here to lay down my life, and I bless the Lord I am not to lay it down as an *evil-doer*; for though I be a sinful man, as others are by nature, yet through his grace I hope I am planted in Christ Jesus.—— The world represents me as seditious and disloyal, but God is my witness, and my own conscience, of my innocency in this matter. I am loyal, and did ever judge obedience unto lawful authority my duty, and the duty of all christians.—— But all a christian doth must be with faith; for what clasheth with the command of God cannot be our duty; and I pray the Lord may help the king to do his duty to the people, and people to do their duty to the king.' He declared his adherence to the *covenants* and works of reformation, his fears of judgments coming on the land, his own assurance of his future happiness, forgave all his enemies, and all who had a hand in his death, took his farewell of all creature-enjoyments, committing his wife and children to the care and protection of heaven, and his own spirit into the hands of Jesus; and, just before he was turned off, concluded his life by singing *Psalm xvii.* last verse. His wife and children endured many hardships after this, but God supported them under and brought them out of their troubles at the *revolution*.

The various commissions, of which we have spoken, *Effects of the commissions.* and other things, together with the malicious activity of the *curates*, were the occasion of the most unaccountable oppressions in almost all parts of the country; in-somuch that, were all the particular instances to be mentioned, they would fill a volume by themselves. Soldiers were sent to the different shires where the commissioners were to act, and committed unheard of cruelties with impunity. Several had commissions, as the laird of Lagg and others, besides those mentioned above, and all were executed with rigour. I cannot, however, but give the reader a few instances.

1681.

In parti-
cular in-
stances.

In the parish of *Twinam* several country women, with sucking children at their breasts, were imprisoned by *David Graham*, because they would not oblige themselves to keep their parish-church and hear the incumbent. In the parish of *Tunnergarth* husbands were forced, either to oblige themselves to bring their wives to church, or not to harbour them; and such was the piety of the *curate* of that parish, that, if any presumed to meet together for prayer, he threatened to inform against them as a *conventicle*; and having notice of some of the persons concerned in this dreadful irregularity, he sent soldiers to their houses. In the parish of *St. Mungo* in *Anandale*, because a boy of 16 years of age did not appear at one of these military courts, cornet *Graham* sent a party of soldiers to quarter on his father who kept the church regularly; for the *curate* said, in that infamous court, that it was but fit the father should be punished for the child, whom he ought to have made regular by a *bridle*. And many parents were thus served, while the *PAPISTS* were wholly overlooked, though *mass* was openly said: But *these* were the good friends of the royal brother and his creatures!

Oppression
in Gal-
loway.

The same course was taken in *Galloway*, where multitudes of *non-conformists* were attacked by *Claverhouse*, though none of them were ever concerned in any rising. In the parish of *New-Glenluce* he seized *John Archbald*, *Ant. MacBridge*, *John MacCleanochan* and *John Wallace*, for not hearing the incumbent. They were not only kept above twelve weeks in prison, but also soldiers were sent to their houses to quarter in their families and eat up all their living. Then *Claverhouse* ordered them to be tyed two and two, and set on bare backed horses, and be carried to *Edinburgh*; but, when they were gone a day's journey, he sent a servant after them, and obliged them to purchase their liberty, by giving each a bond for 1000 merks. This same year *James Harris* of *Ardmenoch* and his son *John* were imprisoned at *Dumfries*, by captain *Strachan*, for not hearing the incumbent, and kept there till they paid 186 *l. Scots*, besides 30 *s. sterl.* to the jailors.

In the
shire of
Ayr.

Major *White* and *Ardmillan* dreadfully harrassed the shire of *Ayr*. *John Boyd* schoolmaster in *Cowend*, for not hearing the incumbent, was forced to pay 40 *l. Scots* to *Ardmillan*, had his house pillaged, and himself sent to prison at *Edinburgh*. The major went through almost all

all the parishes in this shire, held courts, fined the non-conformists, and imprisoned not a few. The incumbents were the principal informers. He generally forced all, wherever he came, to oblige themselves, wives, children, and servants, to keep the church, to abandon conventicles, &c. under the penalty of 100 merks; so that great sums of money were, by this means, extorted from the poor country. In the parish of *Dalmellington* the following persons were fined at one of his courts, *Roger Dun* 100 merks, and 30 l. to *Drumsay*, because the fine was so small. *John Edgar* 50 merks, *Robert Dun* 100 merks, and to *Drumsay* as above, *Pet. MacWhitter* 100 merks, and afterwards 100 l. for his wife's irregularity, *Dav. MacGill* and *John Wright* 50 merks each, *John Dun* 100 merks, *Ronald Rob* and *John Bizzard*, 25 merks each, and four days imprisonment; *John Cunningham* not appearing, his family was dispersed, *Ant. Bizzard* 100 l. And, if so much was exacted in such a small parish, for hearing one sermon out of it, what must have been levied in other places? In the parishes of *Auchinleck* and *Gumnock* the earl of *Dumfries* charged all persons to appear before him, and fined all in 50 l. Scots who had not their children baptized by the incumbent. One *Andrew Patthen* was forced to pay the fine, because he kept his child six weeks, though afterwards he carried it to the incumbent; but I omit other instances of this kind.

In *Renfrew* shire matters were conducted much after the same manner, for, besides the hostilities committed by lord *Rosse*, and others, the estate of *Caldwell* being now given to *Claverhouse*, he kept a number of his bloody hounds there, who harrassed the whole country round. One *James Stevenson* in *Braikoch*, though he was neither at *Pentland* nor *Bothwell*, yet because he was a tenant of *Caldwell's*, and would not countenance the episcopal incumbent, and had his children baptized by the wandering ministers, was spulied of his all; the dragoon horses were let loose upon his victual, his family forced to skulk from place to place, and an old ruinous castle in the neighbourhood, and other desert places, was his resort: But that was the fate of many.

The oppressions of the shire of *Lanerk* were inferior to none. The provost of *Rutherglen* was exceeding severe. For instance, he sent his officers to a widow's in order to apprehend her son for not hearing the curate.

The

In the
shire of
Lanerk.

1682. The youth got out of their hands, and his sister was fined in 30 l. on pretence of being accessory to his escape, and imprisoned. The mother fell sick, but was not permitted to have her daughter to wait on her, though bail was offered. After a few days the provost came in the night-time, searched her house for her son, and, not finding him, obliged the poor woman to pay him 20 merks. I have often observed, that the clergy were the great instigators of these and such like cruelties. In their visiting families they generally took a note of those who kept not the church, and from the rolls of the incumbents were formed the rolls of delinquents at these courts. My author gives a well-attested account of Mr. Blair the profligate incumbent at *Rutherglen*. This wretch, visiting his families, challenged a poor woman for not keeping the church. She began to give her reason; and, among others, mentioned the obligation of the covenants. Upon which the ghostly father decently called her a *covenanted whore*, though at that time he was himself living in whoredom with one of his own servants, as was afterwards discovered. In the parish of *Kilbride* captain *Inglis* harrassed many families, and particularly seized *And. Mack*, *John Carnduff* and *Tho. Miller*, and, upon refusing to give their oath *super inquirendis*, ordered *firey matches* to be put between their fingers, which put them to exquisite torment. The power of torture was now assumed by the commander of a party! That same captain went to a widow's house to apprehend her son, and not finding him he called the neighbours, and made them all swear with the family in this form: *By the eternal God, and as I am content to lose my part in heaven, I know not where John Mack is.* Thus the soldiers took upon them the power of imposing oaths, as well as inflicting torture! *John Skene* laird of *Hallyards* made terrible havock in the parish of *East-moukland*, to the utter ruin of many families, for mere *non-conformity*. *Meldrum* succeeded him, and *Inglis* came after *Meldrum*; and in one house his party found a boy not 15 years of age, and, because he would not swear where his master was, they wounded him with their swords, dragged him by the hair to the fire, held his face before it till his eyes were ready to start out of his head; and, when they thought they had left him for dead, they went off. However, he recovered, though he was distracted for some time.

It

It would be endless to account for all the particulars. 1682. *John Archer* in *Strathmiglo* in *Fife*, having been forced to leave his house, two of his children were seized with a fever, but were obliged to be removed to a retired house, where the other three fell sick, and where this worthy person endured farther persecution, as shall be observed in the next chapter. In the town of *Inverkeithing* *And. Adamson* surgeon endured peculiar hardships through the instigation of *Mr. Irwine* the incumbent, as did likewise *Tho. Thomson* a ship-master and his son, *Will. Brown* baker, *Rob. Stewart* ship-master, who was long in jail at *Edinburgh* with *Mr. Forrest* of *Three-aces* near *Stirling*. These, with many others, were obliged to remove, with their families, because of their non-conformity.

Though there were but few *presbyterians* in the north, yet these did not escape. *Mr. Pitcairn* minister at *Dron* was forced to leave his charge, and retire to *Holland*; and one *Laurence Gibson*, in the neighbouring parish of *Arngask*, was put in prison at *Perth*, and from thence carried to *Edinburgh*, and then sent as a recruit to one of the *Scots* regiments in the service of the *States*, where he continued till his father-in-law bought his discharge. *David Peter*, *James Proctor*, and *Tho. Clephan*, were apprehended by the sheriff of *Forfar*, fined and imprisoned for their non-conformity; as was *Mrs. Minniman* a *presbyterian* minister's widow, by the magistrates of *Perth*, while her only son was dangerously ill. The child died crying after his mother, and the mother died of grief for her child. Thus the reader may judge what a case the poor country was in, and how pleased the *papists* must have been to behold *protestants* in this manner persecuting their brethren. I shall conclude this chapter by observing,

That some time last summer duke *Landerdale* died. *Bi-* *Lander-*
shop Burnet says, 'His heart seemed quite spent. There was not left the bigness of a walnut of firm substance. The rest was spongy, liker the lungs than the heart.' And elsewhere he tells us, 'That he was very learned, not only in *Latin*, in which he was a master, but in *Greek* and *Hebrew*. He had read a great deal of divinity, and almost all the historians, ancient and modern; he had an extraordinary memory, a copious but unpolished expression;' But I shall leave the reader to form the

1682. the rest of his character from the former part of this history, and go on to

C H A P. VIII.

Of the commissions; the prosecutions before the justiciary; the Rye-house plot; the circuit-courts; the publick executions, and other branches of the persecution during the year 1683.

1683. **T**HIS, and the two following years, open a more dismal scene than any that has gone before; for, as the great design of the church of Rome has always been to root out the *northern heresy*, so our prelatical managers exerted themselves to the utmost to root out the *presbyterians*.

Hall-
yards's
commissi-
on.

The commissions granted last year were now enlarged; for, on the 4th of January, John Skene of Hall-yards was appointed to receive the rents of the forfeited heritors in the shires of Lanerk, Stirling, and Linlithgow, and impowered to call before him, and examine upon oath, whom he thought could inform him of those in or accessory to the rebellion 1679. and, upon finding any sufficient evidence, to secure their goods and chattles till a merchant could be found to purchase them; and if any whom he called before him did refuse to swear, he was to confine them in the next prison. Who could be safe when such powers as these were given to wicked men, who would stick at nothing?

Mr.
Potter.

The same day the reverend Mr. M. Potter was before the council, and upon his owning to have kept *house-conventicles*, and refusing to engage not to preach the gospel, was committed to the *Bass*, where he continued two years. Then he was permitted to leave the country. However, Argyll landing about that time, he kept himself concealed till 1687. Mr. Potter was privately licensed and ordained 1673. After which, by the instigation of the bishop of Dumblain, he was hunted as a partridge on the mountains, preaching where he could till 1677. when he went to *Holland* for some months. Upon his return he was forced to keep out of the way, but was apprehended about the end of the last year, and now was sent to the *Bass*.

The

The same day *John Row*, chamberlain to Sir *William Primrose of Carring*, being informed against for *conventicles*, was outlawed, and the general was ordered to send parties in quest of him, and, if they could not find him, to secure his goods for the king's use. 1683. J. Row.

The prosecutions before the justiciary were now very numerous; and, the better to answer the designs of the persecutors, a letter was procured from the king, and read before the lords on the 8th of *January*, ordering them to examine witnesses upon oath previous to the trial. But how well it became judges to take the oaths of witnesses before trial I must leave to be determined by others. As it requires one skilled in the laws of *Scotland* to make proper remarks on this, I shall therefore leave it. Witnesses to be examined before trial.

The same day *Tho. Cunningham of Montgrenan* was indicted before them for treason and rebellion. His confession, that he and others joined the rebels at *Bothwell*, was the proof. However, he begged the lords might intercede for his pardon, and declared that he was willing to take the *test*. He was brought in guilty, but the sentence was not pronounced till the 15th, when he was sentenced to be hanged at the cross of *Edinburgh* on the first *Wednesday* of *April*; but it seems he was pardoned. Tho. Cunningham of Montgrenan.

On the said 8th of *January* *William Martin of Dullurg junior* was indicted for treason and rebellion, but, upon renouncing his heritage, the process was dropt, and he was made to oblige himself to appear when summoned. *W. MacClelland of Auchinguil*, *H. Maxwell of Cail*, and *W. MacCulloch of Gilchred*, came off the same way. The last took the *bond of peace* and the *test*, and was released. W. Martin of Dullurg.

There was scarce any thing, under this administration, more unaccountable, though it was very common, than to prosecute husbands for the non-conformity of their wives, and fathers for conversing with their own children. The magistrates of *Edinburgh*, having this case frequently before them, proposed some queries concerning it to the council. A committee was appointed on the 11th of *January*, who gave it as their opinion, 1. That wives ought to be fined in the half of their husbands fines, and that the husbands were to have defalcations off the wife's jointure. 2. That regular husbands, on producing their wives to the magistrates, were no farther Husbands accountable for their wives, &c.

1683. *their answerable.* 3. That widows were to be fined in the half of their late husbands fines. 4. That unmarried women were to be fined according to the condition of their deceased parents, and their own condition as to their fortunes. 5. That parents were answerable for their childrens keeping the church when they were seven years of age, and fit to be catechised. In short, all that *regular* husbands had to do, was to produce their *irregular* wives to the judge ordinary, who, if they should prove contumacious, was to lay the matter before the council.

A. Her- The same day the case of *Andrew Herron* of *Keroch-*
ron. *tree* was before the council, for conversing with his own son and his son-in-law, who had been at *Bothwell*, and, being ashamed to take his life, they procured a letter from the king to empower them to fine him as they saw proper. Accordingly, though he was pardoned as to his life and estate, yet he was afterwards fined in 5000 merks, which he actually paid.

Sir John On the 27th *Sir John Harper*, sheriff-depute of *Lan-*
Harper. *erk*, was imprisoned in the castle of *Edinburgh* on suspicion of treason, *that is*, corresponding with some of the persecuted party. This gentleman was abundantly *regular*, as they called it; but he was not so violent in prosecuting the sufferers as some would have had him; he lay some months in prison, and at last was released upon giving a bond of 10,000 *L. sterling* to appear when called.

Cultness, On the 31st the sureties of *Sir Tho. Stuart* of *Cultness,*
etc. *Hamilton* of *Monkland*, of both afterwards, *Mr. John Osburn* and *Mr. Hugh Crawford*, were summoned to present their persons according to their *bond*. *Mr. Osburn*, a few days after this, appeared before the council, and, owning he preached in houses, had it in his choice, either to depart the kingdom, or oblige himself not to keep *conventicles*, under the pain of 5000 merks. He chose the last.

Mr. J. About this time the reverend *Mr. John MacGiligen*
MacGil- appeared before the council, and, being charged with
ligen sent *conventicles*, irregular marriages and baptisms, and re-
to the fusing to swear against himself, was fined in 5000 merks,
Bass. and sent to the *Bass* till he should pay it, or oblige himself to depart the kingdom, never to return without his majesty's licence. However severe this sentence was, yet some who were absent at that time thought it too mild,

mild, and attempted to have a sentence of *another nature* 1683. passed against him; but all their attempts proved fruitless. He continued in the *Bass* till the year 1686. and, as appears from his diary, had much of the divine presence with him, and a believing prospect of the nation's deliverance from the hands of its present oppressors. Though to scoffers it may appear ridiculous, yet to the pious reader, what he says on the 23d of September 1684. will, I am persuaded, be agreeable. 'This day I got my heart poured out before the Lord, for the distress, destruction and desolation of the land, and the ruin and overthrow of his interest. The lord will have mercy and heal, recover his own glory, reform his church, restore his ordinances, purge his servants, and cause sacrifices to be offered in righteousness to himself. — He will strike with his right hand, and with it bring back the ark and the glory, and cause the days of joy and gladness to be according to the days of sorrow and sadness we have seen.'

By the way I cannot but observe, that we, in this generation, may look upon all the privileges, both religious and civil, that have flowed from the *revolution*, to be, in a great measure, owing, under God, to the prayers of the distressed sufferers in this dismal period. Happy had it been for the nation had they been better improved, and happy would it be did we but mourn over our great defections, and labour after *that reformation* which our worthies contended for, and *sealed with their blood!*

While Mr. *MacGiligen* was thus employed, summons of adjudication was raised against the small estate he had in the shire of *Ross*. But the lords, by the interest of the laird of *Tarbet*, afterwards earl of *Cromarty*, put a stop to the fine. At last he was released, and ventured home, to the inexpressible joy of his old hearers. At the *revolution*, he, with the consent of his people, went to *Inverness*, where, after preaching a short while, he died in the Lord, June 8. 1689. My author says he was the only minister in the province of *Ross* who at the first assault opposed *prelacy*. He was of great service to many ministers, as Mr. *Hog* of *Kiltearn*, Mr. *Ross* at *Kincairden*, and Mr. *Anderson* at *Cromarty*. It was at his house that the worthy Mr. *Angus MacBean*, formerly *episcopal* minister at *Inverness*, preached his recantation-*sermon*, from *Job xxxiv. 31, 32.* A relation of his case and sufferings had been well worth the inserting,

1683. but I have not the particulars. He died in prison about the time king *William* landed in *England*. But to return.

Black-
wood
prosecut-
ed.

On the said 31st of *January* a process was commenced before the justiciary against Mr. *William Lawry* of *Blackwood*. This gentleman was apprehended last year, and indicted for treason; because, as they alledged, he had allowed several of his tenants, who had been at *Boswell*, to return to their farms, and received rent from them; and therefore, say they, he hath incurred the pain of treason, at least was art and part with them in the said crimes. He was farther indicted for commissioning, giving order to, or conniving at *James Cleland* and *James Wilson*, known rebels, to come, in the month of *May* or *June* 1679. to the house of *Douglas*, and take away two cannons and several horses belonging to the marquis of *Douglas*. It was pleaded in his behalf, that the persons named in the indictment were tenants included in the indemnity, and that therefore the lieges might receive them as tenants, though they had not taken the bond of peace, since they were not intercommuned. His lawyers urged farther, that he could not be prosecuted for converse with rebels, unless the persons he is said to have conversed with had been legally convicted of rebellion. It was likewise argued, that he was no ways accessory to the taking the cannons from *Douglas* castle, nor conversed with the said *Cleland* and *Wilson* till the *October* following, when they were openly at his father's funeral; that *Wilson* was a common and known drover, and therefore he dealt with him as all the country did. However, on the 7th of *February* the lords, notwithstanding all that could be said in his defence, and though nothing could be proved against him, condemned him to lose his head at the market-cross of *Edinburgh* on the last of *February*.

Condemn-
ed.

Remarks.

p. 526.

Bishop *Burnet*, who through mistake calls this gentleman by the name of *Weir* of *Blackwood*, after giving some general account of this affair, says, 'This was such a constructive treason, that went upon so many unreasonable suppositions, that it shewed the shamefulness of a sort of men who had been for forty years disclaiming against a parliamentary attainder for a constructive treason, in the case of the earl of *Strafford*, and did now, in a common court of justice, condemn a man upon a train of so many inferences, that it was not possible to make it look even like a constructive treason.'

son.' He adds, that, though the marquis of *Douglas* 1683. wrote earnestly to the duke for his pardon, that was denied. However, he was reprieved from time to time, Reprieved and so was not executed. This, continues the historian, put all the gentry in a great fright. Many knew they were as obnoxious as *Blackwood*, and none could have the comfort to know that he was safe.

There were several other gentlemen prosecuted before J. Menzies, the justiciary, as *John Menzies* in *Dalquharn*, *John Gibbies*, &c. son of *Auchinchain*, *Robert Fergusson* of *Letterpin*, *Will. MacCulloch* in *Gleichenred*, and *James Lawrie* writer in *Lanerk*; but none of them were executed.

While the justiciary were thus engaged the council *Several* was not idle; for, on the 8th of *February*, they fined *finet*. *John Hamilton* of *Gilkerfeleugh* in 2000 merks, because his lady had been at *house-conventicles*, and on the 12th deprived Sir *John Dalrymple* of *Stair* of his bailiary in *Glenluce*, fined him in 500 L. sterling, and ordered him to the castle of *Edinburgh* till he made payment. The reasons of this are not to be found.

The sufferings of *John Archer* in *Strathmiglo* were renewed this month. Before his children recovered, he was seized with a violent fit of the gravel. While in this case a party of *Balcarras's* troop came, apprehended and carried him, his wife and five small children, to *Kirkaldy* prison. Next day the provost released the mother and children, on finding bail to present herself to the sheriff when called. After *John* had continued in jail three weeks, he was caried to *Edinburgh*, and was first before a committee, and then before the council. And though nothing but *non-conformity* could be laid to his charge, he was sent to the *iron-house* in the prison of *Edinburgh*, where he continued in irons 17 days. It was thought this severe treatment was much owing to his not giving bishop *Burnet* of *St. Andrews* his titles. He remained in jail above 5 months, when he was released by the interest of a south-country gentleman, who had a singular regard for his brother Mr. *Thomas*. After some respite he was again persecuted; so that, for a whole winter, he could not ly two nights in his own house, but was obliged to make the best shift he could. Sometimes in the night-time he would come home and work a little at his trade, being a candle-maker, and retire out of the way in the day-time.

On

1683. On the 1st of *March* major *White's* commission was extended to the parishes of *Eglisbam, Merns, Carmunnock, and Kilbride*, it being alledged that disorderly persons not only lived, but were likewise sheltered in these places: But, as the bounds of his commission were now very large, he was empowered to send a depute to the remote places where he could not conveniently attend. The major was abundantly severe, but his deputies exceeded him; and by this means the oppression became very general, their being but few parishes that had not either the major or his deputies.

Instructions to Claverhouse, Meldrum, and major White, had instructions to discover all in the late rebellion, who were not in the *porteous* or *fugitive* rolls, and send them prisoners to *Edinburgh*, in case they should have two witnesses to swear against them; to send the names of those heritors who had harboured or conversed with rebels, that the council might take a proper course with them; to fine to the utmost petty heritors, who were likewise tenants; to send an account to the chancellor of those *indulged* ministers who had transgressed their rules; to grant safe conduct for 14 days to those in the late rebellion, who should throw themselves on the king's mercy; to send the names of unlicensed chaplains, and of those who entertained them, to the chancellor, the archbishop of *St. Andrews*, or bishop of *Edinburgh*, that the fines imposed by law might be exacted; and, lastly, to call for the books and records of sheriffs, bailies of regalities within their bounds, and examine what fines had been imposed in case of church-disorders, that they might regulate them as they should see cause. The like instructions were given to others; but the particular effects of them are not known.

Courts
held by
major
White.

On the 8th and 9th of *March* major *White* held courts in the church of *Carmunnock*, where many were called before him. The country-people were kept from one court-day to another, to their great detriment in this time of labour. Soldiers were sent to the houses of those who did not appear. They who appeared, and would not swear they were at church, at least every third sabbath, were fined as the major thought proper. By the instigation of Mr. *Boyd* the curate, his predecessor, the reverend Mr. *Andrew Mortoun*, was summoned for alledged baptizing and preaching in that parish, but, not appear-

ing,

ing, was fined in 30,000 merks ; so that he was oblig- 1683.
ed to conceal himself till the liberty 1687. From 8 or 9 poor country people in the parish *White* exacted 277 l. for absence from the church, or rather because they would not swear that they kept it in terms of law. At another court-day 25 were fined for not hearing the curate, some in 50, and some in 25 l. and 12 women in 6 dollars each.

White likewise executed his commission in other parts of his bounds, and particularly held courts at *Kilmarnock*, and exercised more severities than are necessary to be related. *Jasper Touch*, a young surgeon in that place, was fined in 19 L. sterling, because he would not swear he had been at church every third sabbath ; and, refusing to sign the *bond of regularity*, he and several others were sent to prison : At last he was released, upon paying 27 rix-dollars ; but frequently after this he was harrassed for his non-conformity, being forced to abscond, and leave his shop and business to the care of an apprentice. In his absence he was severely fined by colonel *Buchan* who held one of these courts at *Kilmarnock*, had his servant imprisoned, and an inventory taken of all his household furniture. The colonel being called to *Glasgow*, Mr. *Touch* returned ; but, when the colonel came back, he was imprisoned, and with great difficulty was released, upon giving security, under the penalty of 1000 merks, to appear before him or the council on six days notice. *Meldrum* was likewise very diligent in the execution of his commission. But enough has been said upon this.

On the 12th of *March* a letter from the king came to the justiciary, and, much about the same time another to the council, requiring them to send extracts from the registers of the indictments, trials, proclamations, &c. together with copies of the several treasonable declarations, proclamations, bonds of combination in *Sanguhar*, *Lanerk*, *Rutberglen*, &c. in order to their being digested and methodized by *C. Hanses* of *Gray's-Inn*, Esq; *London*, and published for the satisfaction of the king's good subjects. But it does not appear that this was complied with. My author justly observes, that, had such a thing been done with any sincerity, it would have saved him a great deal of trouble ; but that was not to be expected.

On

1683.

Mr.
John
Philip.

On the 15th Mr. *John Philip*, late episcopal minister of *Queensferry*, having been turned out for refusing the test, was before the council, and charged with saying, in the parliament-house, that the duke of *Albany* and *York* was a bloody man, a tyrant, and distasteful to the subjects; that the king's advocate and bishop of *Edinburgh* were bloody and cruel men; that the earl of *Argyll* was unjustly forfeited, &c. After witnesses were brought to prove these things, the council fined him in 2000 *L. sterling*, and ordered him to be kept prisoner in the *Bast* during life; signifying, at the same time, that, if he did not pay his fine within 15 days, they would order the advocate to pursue him for his life before the justiciary. The cash-keeper was commanded next council-day to seize all his books and papers.

Lady
Cald-
well's
sufferings.

On the 22d the council, being informed that the lady *Caldwell* and her daughter were imprisoned for conventicles, ordered them to be sent to the castle of *Blackness*. This excellent widow lady was *Barbara* daughter to Sir *William Cunningham* of *Cunningham-head*. She had a dowry out of the lands of *Caldwell* suitable to her rank; but, neglecting to take infeftment before her husband's forfeiture, she and her four children were cruelly turned out of her right, and obliged to support herself by her own and the industry of her virtuous children.

About the beginning of this year, while she lived peaceably in her apartment in *Glasgow*, one who lived over against her went to provost *Barns*, a violent persecutor, and told him, that through the glass of her window he saw a minister preaching. Upon this false information she was imprisoned, and, without any other proof, was sent to *Blackness* castle, where she and her eldest daughter remained closely confined for almost a year. When, by this close confinement, Mrs. *Jean's* health was impaired, she was with difficulty released, and, as a mighty favour, her mother was allowed now and then the benefit of the air. But they would not allow her to see her second daughter Mrs. *Anne*, though she was seized with a fever which proved her death. She continued prisoner several years unconvicted of any crime, and never accused but by one witness. And though it had been true that a minister preached at that time in her apartment, yet the laws then in being required proof that there were more than

five

five present besides the family. The law had not prohibited family-worship; and though the lawyers openly connived at *popish* masses in families, yet *prelatic* fury vented itself, for the most part, *only* against *presbyterians*. This lady was not released till king JAMES's liberty of conscience.

At this time the lady *Kaitloch* suffered considerably: *Lady* For a garrison, that was sent to take possession of her *Kaitloch*. house, most cruelly turned her and her small family to the fields; and it was esteemed a favour that they allowed her to lodge for some time in a cold barn. At last she and her children were forced to leave the kingdom, and died abroad.

Some of the soldiers of this garrison found a poor *Cruelty of* man at prayer in the fields, and brought him to the *the garrison*, who kept him three days in the guard-house, *son*. where his pious soul was vexed at the dreadful profanation of God's name. At last, because he refused the *test*, he was turned out of his house, and forced to wander up and down for several years.

On the 22d of *March* *John Nisbet* younger, (so called to distinguish him from *John Nisbet* of *Hardhill*) *Nisbet examined.* who lived in the parish of *Lowdown*, was tried by major *White*, assisted by *W. Greichton* sheriff-depute of *Ayr*, who, with others, was vested with a justiciary-power. When, upon his examination, he refused to inform against *John Nisbet* of *Hardhill*, the major impiously threatened to make him sit three hours in hell. It is not worth while to insert their jeering questions. As to the archbishop's death, he said he was not a judge; that *Bothwell* was self-defence; that he acknowledged none to be the head of the church but Christ. Being asked if the king was king, or not? he told them he was once a *covenanted* king; and, as to his being king now, he referred it to his obligations in the coronation-oath to be considered. Being then asked if he was *his* king, he refused to answer. This was all they had to lay to his charge; and for *this* he was condemned to be hanged at *Kilmarnock* on the 14th of *April*, which was done accordingly. He had a grave courage and stayedness when he came to the place of execution. After he had prayed, he sung *Psalm* xvi. from ver. 5. to the end, read *Rom.* viii. and prayed again. He was allowed to speak a considerable time to the spectators, wherein he recommended religion, and

1683. and pressed them to godliness from his own experience. He told them that this was the first execution in that place, and was likely not to be the last; that death was before them all, — but, as for himself, the sting of it was taken away, and he reckoned every step of that ladder to be a step nearer heaven. He was interrupted when beginning to give an account of the cause of his sufferings, upon which he drew the napkin over his face, and was turned over, committing his soul into his father's hands. His last speech and testimony the reader may find in the *Cloud of witnesses*; in which he says, among other things, *As for my not praying for the king in his person and authority, this I durst not do, it being a perfect owning of him in all he hath done, &c.*

Process of forfeiture. On the 2d of April a process of forfeiture was raised against John Balfour of Kinloch, John Russel portioner of Kettle, for killing the archbishop; Robert Hamilton brother to Sir William Hamilton of Prestoun, for commanding the west-country army at Bothwell; Mr. John Hog minister at Rotterdam, Mr. Robert Fleming there, — Smith, Mr. Robert Langlands, Andrew and John Russels factors, and James Stuart son to Sir James Stuart provost of Edinburgh, for supplying the rebels with money and necessaries ever since, &c. Robert Hamilton and John Balfour were sentenced to be executed when apprehended. John Russel, messrs. Hog, Langlands, Smith and Stuart were outlawed and forfeited. The diet was deserted as to Mr. Fleming and Andrew Russel, the council having sufficient testimonials of their loyalty.

Sir Wil. Denholm, &c. The same day Sir William Denholm of Westfields, Mr. G. Cunningham indulged minister at Dunlop, for corresponding with Mr. John Cunningham of Bedlane, were outlawed, as was likewise Archibald Menzies younger of Culdairs, for saying one day in prison, *That fools made the test, and knaves take it.*

Circuit-courts. Though the commissions given to major White, Claverhouse, and others, and the extensive powers vested in the commissioners, might have been thought sufficient for suppressing all whom they called *fanaticks*, yet there must be more *circuit-courts* clothed with all the power of the council and justiciary. Accordingly, on the 13th of April, a proclamation was published, in consequence of a royal letter which they received on the 10th, setting forth,

Proclamation for them.

forth, among other things, that though his majesty had 1683.
 been too often induced to grant *indemnities, indulgences*
 and other *favours*, to that *fanatick* and disaffected party,
 which only emboldens them to abuse his *royal goodness*;
 yet it was, and is now more than ever, his firm resolution
 to root out these seditious and rebellious principles, and
 to maintain the church-government as it is established
 by law; therefore he required the council, and all judges
 and magistrates, to execute the laws with rigour, against
 all who, since the late indemnity, had been, or afterwards
 should be found guilty of *fanatical disorders*, and to prosecute,
 before the justices, all who are, or shall be found guilty of
receiving, harbouring, or conversing with persons forfeited,
 traitors, &c. but, lest any have inadvertently fallen into
 that mistake, he recommends to the council to command the
 advocate to order such as they suspect to be summoned
 before them, and to judge them, upon evidence or the oath of
 parties, as they shall see fit; or, in case they shall refuse to
 swear, or appear, to repute them as guilty, and to restrict the
 ordinary pains of treason to banishment, fining, or other
 arbitrary punishment, but to be indemnified if they appear
 and satisfy the council. He likewise gave the council
 authority to commissionate whom they thought fit, in the
 respective shires, for judging those whom they had not time
 or conveniency to call before themselves, and that in the same
 way, and with the same powers that themselves were
 possessed of. And since several of the common people, who
 were in the late *rebellion*, have lost the benefit of the
indemnity, by not taking the *bond* in due time, his majesty
 declares, that upon their taking the *test* they shall be
 completely indemnified; and, for punishing those that
 refuse to be reclaimed, he ordered *circuit-courts* to be
 holden in the western and southern shires, and other places
 needful, in the months of *May, June, July, and August*
 next, after exact *porteous rolls* of delinquents are taken
 and published. The circuit-court was to sit at *Stirling*
 on the 5th of *June*, at *Glasgow* the 12th, at *Ayr* the 15th,
 at *Dumfries* the 26th, &c. Then the common people, in
 taking the *test*, were to do it on their knees, and to sign
 it, by themselves or a notary, in presence of the persons
 mentioned in the proclamation.

This is the substance of a long proclamation, in which
 the king was made to signify his repentance for his former
 lenity, the contrary of which we have had all along

Remarks.

1683. incontestable proofs of, through the former part of this history, and to declare his resolution to *extirpate* all *fanatick* principles. It would have been very acceptable to his *beloved BROTHER*, had he undertook to *extirpate* the *northern heresy*; however, this was a good preparative. The *test* was to be imposed upon all suspected persons, though, by act of parliament, none but those in offices of power and trust were required to take it; but the duke of York had foretold *that the test should fall upon others than catholicks*.

Private
porteous
rolls.

To pave the way for these *circuit-courts*, the council, on the 18th of *April*, made an act, ordering the clerks of the criminal-court not to insert, in the ordinary porteous rolls, any nobleman, or sheriff-principals or provosts of burghs where the *circuit* was to sit, &c. but that the clerk and his depute shall take all information they can have against all persons whatsoever; and, in case any noblemen, &c. be informed against, that they keep a particular and *private* roll for such persons, which the clerks must keep *secret* at their peril, and send in these *private* rolls to the council. Here seems to be *deeds of darkness*. Next day they agreed upon instructions to the commissioners of justiciary at the *circuit-courts*, and their clerks, in taking up of dittays, or in procuring informations against persons to be fined at the said courts, which need not be inserted. But, that the reader may have some view of the share the *prelatical* clergy had in the informations given in at this time, a paper was dispersed among them, whether by the order of the bishops or the council is not known.

Things to
be done by
the mini-
sters.

The title of it was, *List of things to be done by the minister in each parish*, 1683. 'They were to give in, upon oath, a list of their *sessioners*, their clerks and bellmen, of withdrawers from the church and non-communicants----to give an account of all disorders and rebellions, and who were guilty — and a compleat roll of all within the parish, and particular list of all the heritors. That all *women* who are delinquents be given up as well as men. That they give account of all persons who have gone out of their parishes, and the reasons of it, — of fugitives, their wives, or widows, — and all refetters of them, and of chapmen and travellers. That they declare who are the people in their parishes who can give the best account of all these particulars, that such may be brought in and examined.'

This

This was fine employment for ministers of the gospel! 1683. But it is too well confirmed that such work as this was more agreeable to these orthodox clergy, than what really belonged to their office. The reader will easily observe, that the *sessioners*, as they are called, were made use of only as *informers* against innocent people. A vile prostitution of the office of ruling elder! But the clergy were at the bottom of all the persecution of this period.

During the months of *March* and *April* *Claverhouse* exercised his powers to the utmost in the south; and that country was grievously harrassed by searching for Mr. *Cameron's* followers, for all who had been at *Bothwell*, all in the fugitive roll, and who had not appeared at courts; for multitudes were forced to wander in mountains and caves, and many, through other parts of the kingdom, had retired for shelter to the mountainous places in *Galloway* and *Nithsdale*. There were likewise spies and informers who were bribed by the soldiers; neither were the *papists* unactive in informing against these wanderers; for these, being of the *Duke's* religion, were not only overlooked, but also met with encouragement, while many innocent people were exposed to the greatest hardships.

At this time *Meldrum* had sent in *Walter Thomson*, *Mel-Walter Smith* and ——— *Turnbull* prisoners to *Edinburgh*, because they would not pay the same fines over again to him that they had paid to the sheriff of *Roxburgh*. The three prisoners represented this to the council, and were released; but no notice was taken of *Meldrum*.

On the 4th of *May*, *David MacMillan*, *James Brown*, *John Paterfon*, *William Miller*, *James Gemble*, *George Lapsley* and *Robert Lawson*, were before the lords of justiciary at *Edinburgh*. The first was executed, the four next took the test and were released. The two last refused the test, and were continued to the 10th of *June*; but their indictment was found relevant.

David MacMillan, before a committee of the council, acknowledged that he was apprehended in a church for being at *Bothwell*; but then he said, that *Bothwell* was not rebellion, being in defence of the truth; that he acknowledged the present authority, as far as the king had kept his engagements according to the word of God. When this confession was read before the justiciary, he said

1683. said that something was inserted which he had not spoken, particularly concerning the bishop's death. Upon which the president said, Well, what say you to that now? He answered, that he had no judgment to judge such heads. He refused the test, which was offered him as the condition of saving his life, and was therefore sentenced to be hanged at the *Grass-market* on the 16th of *May*. He suffered with *John Wilson*, of whom I am now to speak, and died with a great deal of peace and composure. In the paper he left behind him he blessed God who had inclined him to 'join with the 'persecuted party at *Bothwell*, — and earnestly wished that love might continue among the godly, notwithstanding the differences in religion; and pressed all to mourn for broken vows and promises, slighted offers and opportunities, and a *broken COVENANT*; and declared that he died in the faith of it, that God would return to *Scotland*; that he adhered to the confession of faith, catechisms and covenants; and left his testimony against *hearing of the curates, paying of cesses, and the indulgence*. — My soul, concludes he, shall bless him through all the ages of eternity.

*John
Wilson.*

The same 4th of *May* *John Wilson* writer in *Lanerk* was brought before the justiciary, and, having been formerly condemned to die, was now ordered for execution on the 9th. He had been at *Bothwell*, and owned that he had acted as captain there. When apprehended he resolved to use the utmost freedom, and, at the same time, as much caution and prudence as was consistent with truth.

*Before
the committee.*

On the 17th of *April* he was examined before a committee of the council, and, among other things, was asked what he thought of *Bothwell*. Was it not unlawful to rise in arms? He said he durst not say it was unlawful; for the confession contained in the *test* says, that it is a *good work to defend the life of the harmless*; and that however God had disposed of these people, yet he supposed the Lord would own those, who, hearing their neighbours had been worshipping God, and (for defending themselves against those that sought their life) were in jeopardy of their lives, thought it their duty to rise for their relief. Then they asked if *Pentland* was rebellion. He answered, that the oppression of that poor people was so great, that the then rulers condemned *Sir James Turner* for his cruelty. One of them

1683.

them said, that he knew Sir James went not *the length of his commission*. Then they asked if the bishop's death was murder? He desired to be excused; for he would not answer that question; and, being pressed again and again, he told them, it being nothing that concerned his salvation, he did not pry into it. Then they said, how did *Bothwell* concern your salvation? He said, there was none who engaged themselves in service to God, but they behoved to be at his call; and it being for *saving the life of the harmless*, he durst not sit God's bidding. He was also examined concerning authority, but got not time to answer; and, in the remarks he made on this examination, he regretted that he did not improve this opportunity in testifying against the *ecclesiastical headship*. He was also examined the same day before the council, where he owned his being at *Bothwell*, and declared that he did not think it rebellion, ^{Before the council.} vindicated the lawfulness of *self-defence*. And, when they asked if he owned authority, he said, 'Government might be taken several ways. 1. For the simple command of the prince. 2. For the more publick command of the prince and people. 3. For the power a prince may be clothed with by a people. 4. For a prince's right to govern a people. As many of the prince's edicts and acts of parliament were against *presbyterians* and *presbyterian* government, he could not own it in the two first senses, unless he denied himself to be a *presbyterian*. He added; he could not own it in the third sense, since the people had clothed the king with the *headship* of the church. As to the last sense, his right to govern, he had not seen through the denial of it.' He also makes remarks on this examination, which the reader will find in the *Cloud of witnesses*. In his papers he gave an account of what had passed between the advocate and him. The advocate told him there was room for mercy, if he did not obstinately persist in his opinion. He answered, that he had delivered no opinion but what he had justified from the *confession of faith*, which he had lately sworn, &c. He was asked if he would *bond* * before sentence, their being no room ^{take} for mercy afterwards. He answered, he would not, ^{the test,} and, at another day, all sentences would be canvassed before the *the great JUDGE of heaven and earth*. His ^{His peti-} friends advised him to supplicate for a reprieve, till he ^{tion.} should be better advised as to his answers to the council,

1683.

cil, or because of his confusions since he came to prison, or that he might have a longer time to prepare for eternity; but he refused to petition on any of these grounds. He said, had his petition gone on the first ground, it would be a declaring to the world that he called his principles in question. The second would be a flandering Christ's cross, wherein every step had been to him mercy and truth. And, as to the third, he could not do it in faith. However, on the 7th of May, he gave in a petition for a reprieve, on account of his wife's case, who was then big with child; and he afterwards declared, that he had solid peace in so doing. During these things he had a conference with Sir William Paterson, bishop Paterson's brother, concerning the grounds upon which he stated his sufferings, in which he vindicated the lawfulness of defensive arms; but the conference had no influence to alter any of the sides. Mr. Wilson was reprieved till the 16th, when he suffered with David MacMillan according to his sentence. His last testimony is in the *Cloud of witnesses*, in which, among other things, he says, 'I am really of that opinion, that God shall root this race of kings, root and branch, away, and make them like Zeba and Zalmunna, for taking God's house in possession, and resolving to root out the seed of the godly under the name of fanaticks.' He most chearfully left his wife, children and sisters, upon God, and died in the Lord.

Sir John
Munro of
Fowlis.

There were, at this time, but few in the northern parts of the kingdom that were firm to the principles of the reformation. However there were some, as we have formerly observed, and among others the family of Fowlis. My author observes, that, on the 8th of May, Sir John Munro of Fowlis elder was by the council confined to his own house in the shire of Ross, and a mile round it, for his alledged withdrawing from his parish-church. This gentleman, on account of his corpulent structure, was nicknamed the mortar-piece of presbytery. His eminent piety and zeal exposed him to no small sufferings at times; for, besides a long confinement, his estate, which before was considerable, was harrassed by several fines and confiscations, from which it has not been fully recovered to this day. I am sorry I cannot give a more particular account of the sufferings of this gentlemen, whose family greatly supported the interest of the reformation in the north of

Scotland,

Scotland, and who had three grandsons who lost their lives in the last unnatural rebellion, standing up in defence of the religion and liberties of their country, in opposition to a pretended branch of a family that has been the constant plagues of Great-Britain, viz. Sir Robert Munro of Fowlis, captain George Munro of Culcairn, and doctor Duncan Munro: But, as the reverend doctor Doddridge of Northampton has favoured the world with some account of this family, in his appendix to his remarkable passages in the life of colonel Gairdner, who was killed in the battle of Preston 1745. thither I refer the reader.

On the 10th of May Mr. James Renwick was ordained at Groningen. The societies for general correspondence, considering the dismal situation things were in at this time, and that they had no ministers they could join with, agreed to send Mr. Renwick to the university of Groningen, in the united provinces, to prosecute his studies; which he did with much approbation for the space of six months, and was ordained, indefinitely, to the work of the ministry, by the imposition of hands. The reverend Mr. Shields says, 'Such was the case of that poor people that made application, that they could neither get faithful ministers free of defection, whom, with freedom of conscience, they might call,——nor would they answer their reiterated requests whom they did call; neither would any ministers, at that time, opposite to their testimony, ordain any of their way; nor could they seek it without condemning their testimony, &c. therefore they sent Mr. Renwick to the provinces.' In the *Life of Renwick* p. 21. *informa-* p. 77. *tory vindication* it is said, 'Though the classes of Groningen, by whom he was ordained, differ from the reformation of Scotland, in her best times, in some things, yet, considering, 1. That in these differences they were never reformed, and so cannot be charged therein with defection. 2. That they agree with the true presbyterial church of Scotland in all principles against popery, prelacy, erastianism, and all heretical and sectarian errors. 3. That they did then object nothing against our present testimony. 4. That they came under a general and far other consideration, being of a foreign church, than ministers of the same original church, and under the same bond of covenant with ourselves.——5. That in the act of ordination they

1683. ' they did obtrude none of these differences, but took
 ' him engaged to teach according to the word of God,
 ' the *confession of faith* of the church of *Scotland*, and the
 ' discipline thereof; upon all which considerations it
 ' was thought lawful to accept of ordination from the
 ' said *classis*. ' ——— Accordingly Mr. *Renwick*, in-
 stead of the *Belgick* forms, was allowed to sign the *West-*
minster confession and *catechisms*.

Earl-
 stoun ap-
 prehend-
 ed.

Ren-
 wick's
 life, p.
 27, 18.

On the last of *May*, or first of *June*, Mr. *Alexander Gordon* laird of *Earlstoun* was taken at *Newcastle*, going to *Holland*. This worthy gentleman, having been much abroad since *Bothwell*, returned and joined the *societies*. He was pitched upon, at one of their general meetings, and, says Mr. *Wodrow*, joined in a commission with his brother-in-law *Robert Hamilton*, to repair to *Holland*, to represent the circumstances and principles of those people to the reformed churches there: but it would seem my author is mistaken in the circumstances of *Earlstoun's* commission from the *societies*; for Mr. *Shields* says, that, after the publishing of the *Lanerk* declaration, the next general meeting, finding themselves much condemned, reproached and informed against in foreign churches, as if they had fallen from the principles of the church of *Scotland*, into wild errors, thought it expedient to send the laird of *Earlstoun* to the *united provinces*, to vindicate themselves from these reproaches. This was in the year 1682. And I find that *Earlstoun's* commission was dated at *Edinburgh* 2d *April* 1682. and subscribed by *John Renwick*, and sent to him at *Newcastle*; but the above *Robert Hamilton* is not so much as mentioned in it. Whether he got another commission last spring is more than I know. However, when *Earlstoun* and his servant *Edward Atkins* were apprehended, he was aboard a ship bound from *Newcastle* to *Holland*; and, lest his papers should fall into the hands of his enemies, he threw them into the sea, but they were observed and taken up, and both of them were sent to *Newgate*.

His pa-
 pers exa-
 mined.

This affair made the more noise at this time, as it happened when a pretended plot was said to be discovered against the king's life; and the council and bishops were big with expectations of mighty discoveries from *Earlstoun's* papers; but, upon the strictest examination of them, nothing was found but a letter signed *I. N.* commissions and instructions from the *societies*, with letters

letters to some *Dutch* ministers and *Scotsmen* in *Holland*, 1683: and papers on civil business.

The conspiracy pretended now to be carried on was Rye- that commonly called the *Rye-house-plot*, because, as was house- alledged, the conspirators had formed a design to assas- plot.
sinate the king and duke at the house of the *Rye*, with- in two miles of *Hodsdon* in *Hertford-shire*, which was then inhabited by *Richard Rumbold*. An ingenious writer, speaking of this and other *sham* plots, says, 'The shat- Wel-
'tered remains of *English* liberty were then attacked wood's
'on every side; and some of the noblest blood of the mem.
'nation was offered up a sacrifice to the manes of popish edit 6.
'martyrs, and made to atone for the *Bill of exclusion*. p. 118.
'Swearing came once more into fashion, for which a
'new evidence-office was erected at *Whitehall*. But,
'whereas the witnesses of the *popish* plot were brow-
'beaten and discouraged, those of the *protestant* plot
'were highly encouraged; and, instead of judges and
'juries that might perhaps boggle at *half-evidence*, as
'it fell out in prosecution of the former, care was taken
'in this to pick out such as would stick at nothing to
'serve a turn. It was by such judges and juries that
'the lord *Russel* and Mr. *Sidney* fell; and the cutting
'off those two noble lives may be reckoned among
'the first triumphs of the duke's party in *England*.'

This matter might have been entirely omitted, but No assas-
that several valuable persons were prosecuted and suf- sination
fered in *Scotland* for his pretended conspiracy. It is cer- designed.
tain that several patriots for religion and liberty in both
nations had frequent meetings among themselves, in
order to consult upon proper measures for securing these
invaluable privileges which were then at the stake. But
that ever lord *Russel*, colonel *Algernon Sidney*, the earl
of *Argyll*, the laird of *Ferviswood*, the reverend Mr.
William Carstairs, and others suspected, were concerned
in any assassinating design, was never proved against
them, nor could be. They were persons of quite differ-
ent principles, as will afterwards appear. When this Letter and
conspiracy was pretended to be discovered, a letter came proclama-
from the king, requiring that none might be suffered tion.
to depart the kingdom without leave; and the coun-
cil soon after issued a proclamation in the terms of the
king's letter, and another against the duke of *Buccleugh*
and *Monmouth*. In the *English* declaration for a thankf-
giving it is said that a general insurrection was in-

1683. tended, and that a correspondence was established in Scotland; and that the earl of Argyll, lord Melvil, Sir John Cochran, Mr. William Carstairs, and others, were concerned in it. It is not worth while to mention the Scots proclamation for a thanksgiving, only that it is intitled, *Proclamation indicting a thanksgiving for the deliverance from the fanatical conspiracy*; and that fanatical, the term of reproach given to *presbyterians*, is, in the body of the proclamation, joined with *atheistical* and *republican* principles, and named first, as if, in the sense of the compilers, it was the worst of the three. The executions in England on this account, as that of lord *Russel*, *Algernon Sidney*, &c. are out of my way. Only I cannot but observe, that all the violent measures then pursued were the effects of the malicious jealousy of the duke of York, against his rival the duke of Monmouth and his friends, so that for some time the latter was forced to keep out of the way. But, passing these things, I return to what more immediately concerns this history.

Executi-
ons in
England.

Procla-
mation.

Claver-
house,
&c. at-
tend the
circuits.

Circuit at
Stirling.

Inch-
belly-
bridge.

On the 4th of June the council issued a proclamation forbidding all to exercise the offices of teachers, pedagogues, or chaplains, unless they take the *test*. If noblemen did encourage them, they were to be fined in 3000 merks, gentlemen in 1200 merks, burgesses and others in 600 merks. The same day they appointed the laird of Claverhouse, Meldrum, &c. to attend the justices at the circuits, to answer what questions shall be asked, and give all the informations they can against the rebels, &c.

Next day the circuit sat down at Stirling, when, among others, one William Johnstoun, a Stirlingshireman, appeared before them. The wounds he received at Bothwell had for a long time deprived him of his reason, so that he had been overlooked till now. He and the rest swore the *test* on their knees, but he knew not what he did; for, when he was told that he had renounced what he had owned at Bothwell, he relapsed into his former distemper, and died in a few days.

About the beginning of this month, as a party of soldiers was carrying one Alexander Smith to Edinburgh, they were attacked by some of his friends near Inchbelly-bridge. The soldiers were beat, one of them was killed, and the prisoner released. The countrymen retired in good order with their friend; but with-

in

in a little the soldiers rallied, and, searching the adjacent places, happened to seize *John Wharry* or *Mac-Wharry*, and *James Smith*, while sitting together in a wood near the place, without any arms but their staves. The poor men were immediately carried to *Glasgow*. Some say two of the soldiers were suborned to swear that they saw them kill the soldier; but it appears that no witnesses were examined, the court sustaining it as relevant that they were taken near the place; whereas, had they been any ways concerned, they doubtless would have retired with the rest. They were condemned to have their right hands cut off, then to be hanged, and their bodies to hang in chains at *Inchbelly-bridge*. And accordingly, on the 13th of June, they were both executed at *Glasgow*. The *Cloud of witnesses* says they suffered on the 11th. They were most pious and religious persons; and the letters they wrote to their friends on this occasion breathe an uncommon spirit of piety. They rejoiced in their bonds, and joyed in their tribulations. When *John Wharry's* hand was cut off, instead of shrinking, he held up the stump, and said, *This, and other bloodshed through Scotland, will yet raise the burnt COVENANTS.*

1683.
J. Wharry and J. Smith executed.

The day they were executed the circuit sat down at *Glasgow*, and there appeared at the bar *John Russel* portioner in *Eastfield*, *Gavin Paterson* feuar in *Bothwellbiels*, *Robert Russel* in *Windyedge*, *Mr. Thomas Hamilton* of *Raith*, and *James Hamilton* of *Parkhead*. The most that was proved against them was, that they were seen in company with the rebels; but there were not two witnesses that agreed in the same thing, except as to *Raith* and *Parkhead*, and both swore that they were without arms; and yet they were all condemned to be executed when the council and justiciary should think fit. We shall meet with several of them next year.

Circuit at Glasgow.

On the 15th the circuit proceeded against *James Maxwell* of *Williamwood*, and *John Maxwell* younger of *Bogtoun*, both in the parish of *Cathcart* in the shire of *Renfrew*. They were in absence both forfeited in life and fortune, though there was no proof of their being at *Bothwell*.

Mr. Maxwell of *Williamwood* was an uncommon sufferer by the *Highland host* 1678. And, in the following summer, a party, commanded by one *Scot* of *Bon-nitoun*, came, and, without producing any orders, carried

Maxwell of Williamwood.

1683. ried off 50 bolls of meal, 4 horses, with the whole household furniture left by the *Highlanders*, cut the beds with their swords, and damaged what they could not carry off. All this was occasioned by an information given by Mr. *Finnick* the curate of *Gathcart*. However, *Williamwood*, conscious of his integrity and loyalty, furnished his house anew, and dwelt in it, till, in *May* or *June* 1680. a false information was given against him as having been at *Bothwell*. Whereupon he was seized, and carried first to *Glasgow*, and then to *Edinburgh*, where he was several times before the council; and, no proof appearing of his being at *Bothwell*, he was released upon bond to appear on the first of *September*. In short, he got up his bond, and obtained his liberty; but, notwithstanding this, about the end of 1681. he was again attacked, and had his house pillaged by soldiers; so that, finding there was no safety for him from the malice of the said *Finnick*, he lett out his land to tenants, and lived privately for some time, and at last retired to *Ireland*. While there a summons was left at his house in *Scotland* to appear before the justiciary. *Montgomery*, the sheriff-depute, dealt with several persons who were in the *porteous roll* to swear that they saw *Williamwood* at *Bothwell*, promising that he would get them acquitted, and their names scratched out of the *roll*; but they would not purchase their liberty at such a price. However, one *Hart*, a profligate wretch, and another like him, were prevailed with; and so *Williamwood* was sentenced, as above, before ever he knew there was an indictment against him, and his estate given to provost *Johnstoun* of *Glasgow*, and his wife and six small children put to shift for bread till the *happy revolution*. In the year 1684. his wife was harrassed from place to place, till, through toil and grief, she died in *November*. These well attested facts will doubtless furnish the reader with proper reflexions.

J. Muir- Many other gentlemen received indictments before
head of this court at *Glasgow*, particularly *James Muirhead* of
Bradisholm, *Bradisholm*. He was a great favourer of the *presbyterians*; but though his house was within two miles of *Bothwell*, yet, during that *rising*, he retired from home several weeks. In the year 1681. he was prosecuted before the *circuits*; but, no proof appearing, all prosecution was discharged. When he was, as he thought,

thought, secure, he was again put into the *porteous roll*, and received a new indictment before this *circuit-court* at *Glasgow*; but, nothing appearing against him, he was referred to the justiciary at *Edinburgh*, and by their order was released. Notwithstanding this, he was, the very next year, put into the *porteous roll*, and indicted before the *circuit* for the same pretended accession to *Bothwell*; and, because he would not clear himself by taking the *test*, he was charged before the council for reset and converse, keeping *conventicles*, and was fined in 4000 merks, and kept 14 months in prison at *Edinburgh*.

In short, the country was put to great trouble and vast expences at these *circuits*. It cost *John Ayton*, *Thomas Leiper*, *James Martinholm*, *Alexander Small*, *John Steil* in *Breckenridge*, *John Mack* in *Caldergreen*, with several more who attended this court, above 200 merks each before they got home. Great sums were likewise extorted from honest people to get free from sitting on the *juries*. *John Luke* of *Claythorn* paid, at different times, near 50 *L. sterling*. This was likewise the case of *Andrew Gibson*, *George Bagle*, and others. Many considerable merchants in *Glasgow* lost a great deal of money to be freed from sitting in these *juries*. People put to great expences.

The *circuit-court* sat down at *Ayr* on the 22d of *June*. The curates in that shire, especially *Mr. Abercrombie* in *Carrick*, and *Mr. Joseph Clelland* in *Dalserf*, signalized themselves in procuring informations. Vast numbers were summoned out of every parish in the shire to give informations. The persons informed against were charged to clear themselves by taking the *test*. The recusants were imprisoned, and they who did not appear were declared rebels, &c. The same day *Mr. Matthew Campbell* of *Watershaugh*, *Robert Lockhart* of *Bankhead*, *James Brown* son to *James Brown* in *Newmills*, *John Paterfson* in *Dandillan*, *Ad. Reid* in *Mauchlin*, *John Wilson* in *Lindsayhill*, *John Crawford* of *Torshaw*, *Andrew Brown* of *Duncanzeamer*, *Mr. John Halbert*, colonel *John Burns*, and *James MacNeilly* of *Auchnairn*, were indicted for being in arms at *Bothwell*. They were all absent except *Bankhead* and *Andrew Brown*, who confessed their guilt, offered to take the *test*, and threw themselves on the king's mercy. Sentence was not pronounced against these two till the 2d of *August*, when they were condemned Campbell of Watershaugh, &c.

1683. demned to be beheaded at the cross of *Edinburgh* on the 9th; but it seems before that they were pardoned. All the rest were, in absence, sentenced to be executed as traitors when apprehended.

J. Cochran of Waterside.

John Cochran of *Waterside* was, in absence, forfeited for conversing with rebels. There were strong suspicions that the two witnesses who deposed against them were suborned.

William Boswell.

William Boswell, a young gentleman in the parish of *Anchinleck*, was obliged to take the *test*, and pay 1000 merks fine to preserve his estate from forfeiture. All his crime was, that, when he happened to fall in with a company of men going to join the west-country army, he stopt his horse to see them draw up.

W. Torbran.

William Torbran, late provost of *Stranraer*, was summoned before this circuit. This gentleman endured great hardships in the year 1679. so that he was obliged to retire to *Ireland*, where he was when summoned to appear. His lawyers, with difficulty, got 60 days allowed to cite him as one out of the kingdom. When these were expired sentence of death was past upon him, though no crime was proved against him but his absence and non-appearance; so that he was obliged to stay abroad till 1687. when he found his losses exceeding great.

Circuit at Dumfries.

The circuit next sat down at *Dumfries*. In this district very few but *papists*, persecutors, and their friends, escaped. They who had formerly signed the *bond* were here made use of as witnesses, and were grievously harassed if they did not turn *informers* too. The taking of the *test*, which was pressed with rigour, saved the lives of many. They who did not appear were declared traitors, and all who after *that* conversed with them, whether father, mother, brother, sister, husband or wife, became in law as guilty as they; and thus the very ties of nature were broken.

At Jedburgh.

In consequence of what passed at the circuit at *Jedburgh* many were made prisoners. All who refused the *test* were bound over to appear at *Edinburgh* the second of *August*. Mr. *Gladstones*, one of the prisoners, says, in a letter to the laird of *Cavers*, 'That *Stevenson*, *Ormistoun*, *Maudsley*, *Pollock*, *Maxwell*, *Greenock* and *Blackcastle*, were sent to the castle of *Edinburgh*, Sir *John Riddel* and another to the prison of *Haddingtoun* and *Bonjedburgh*, *Well*, *William Ker* uncle to
' *Green head*,

Greenhead, Gideon Scot, and himself, to that of *Edinburgh*, where, with about 60 other gentlemen, they remained about ten days, till the prison became dangerous for their health. Some of these prisoners were released upon bail to appear when called, others continued in prison for a considerable time. Thus much for the *circuits* this year. After they were over, droves of prisoners were carried from prison to prison; and, if I may use the expression, the jail at *Edinburgh* was the common reservoir. The *papists*, all this while, were not only overlooked, but encouraged.

It has been related, that others were empowered to hold courts and tender the *test*, and they generally exceeded their instructions. *Hallyards*, and one *Duncan Grant*, a soldier, with powers from him, held courts in the parish of *Kilbride*, and neighbouring parishes, in the shire of *Lanerk*. *Grant* was a terror to that part of the country. All suspected persons were fined as he thought fit. *John Wilson* in *Highflet* had his house rifled, and lost 673 *l. 6 s. 8 d.* *Grant* sent his soldiers upon free quarters in the parish, sometimes to one house, and sometimes to another. It was dreadful for the country to be oppressed, not only by the commissioners, but also by their wretched deutes, who acted without controul. The fines imposed by *Hallyards* in the parish of *Kilbride* came to a great sum, not to speak of the damages done by the soldiers. *John Watt* in that parish lost above 500 merks, and *John Granger* 1100. *Greichton* and others of the orthodox clergy constantly attended at these courts. In the parish of *Evandale*, the laird of *Netherfield*, *Alex. Muir* in *Ploughland*, *Alex. Hamilton* in *Halls*, and three or four more, were imprisoned for alleged refet and converse, and fined in 953 *l. 13 s. 4 d.* The sheriffs and their deutes took care to have their share of the fines.

Cornet *Graham* held his courts in *Balmaghie*, and the laird of *Lagg* acted with the utmost virulence, as likewise did *Thomas Lidderdale* of *St. Mary isle*. The like courts were held at *Kirkcudbright* and *Dumfries*, where all whom they were pleased to suspect were required to take the *test*, and the recusants sent to jail. It would be endless to mention particulars. However, I cannot omit one singular outrage committed at *Moffat*, which was within the commission of the laird of *Westersaw*. This wretch ordered intimation to be made in the church,

1683.

Cornet
Gra-
ham's
courts.

1683. on the Lord's day, that the *test* was to be offered to-morrow in the parish, and summoned all the heads of the families to appear. After this he openly said, *The devil damn his soul in hell, but before morrow's night they should be all damned as well as he.*

I might here likewise mention, that another branch of oppression, at this time, was owing to those who had gifts of the *finer* made to them; for many were forced to leave their houses, and were reduced to great straits, by the merciless exaction of these fines: But I pass all these over, and go on to other things in the order of time.

Andrew
Guillan
appre-
hended.

On the 12th of July, *Andrew Guillan*, a weaver near *Magus-muir* (but after *Sharp's* death was obliged to abscond, and serve at some distance from where he lived formerly) was before the lords of justiciary for the death of the archbishop of *St. Andrews*; and he was the only person that may be said to have suffered precisely on that score. On the 11th of June last the curate of the parish came by, while he was at work with a countryman, and asked him whether he kept the church. *Andrew* told him he did not own him, nor would give him any account; whereupon the curate called the neighbours and seized him. Then he was carried to *Cockpen*, and pressed to drink the king's health; and, upon refusing, was committed to prison at *Dalkeith*, and from thence to *Edinburgh*, where he was put in the iron-house. At one of his examinations, (for there was no proof of his being any ways concerned in the affair of *Sharp*) while the advocate was expatiating on the aggravating circumstances of that affair, and, among other things, was representing, that when the bishop was upon his knees praying, they killed him; *Andrew* being touched at this, lifted up his hands, and cried out, *O! dreadful! he would not pray one word, for all that could be said to him.*

Condemn-
ed.

This was enough. His own confession was brought as proof of his being concerned in the bishop's death, and accordingly he was sentenced to be taken to the cross of *Edinburgh* on Friday, July the 20th, to have both his hands cut off at the foot of the gallows, and then to be hanged, his head to be cut off, and fixed at *Cowpar*, and his body to be hung in chains at *Magus-muir*. He endured his sufferings with great courage. The hangman, being drunk, or affecting to be so, gave him nine strokes in the cutting off his hands, which he endured

Executed.

with

with invincible patience. When his right hand was cut off, he held up the stump before the spectators, and said, *My blessed Lord sealed my salvation with his blood, and I am honoured, this day, to seal his truths with my blood.* After his body had hung for some time in chains, some people came and took it down, which exposed that part of the country to no small trouble. In his last testimony, where are many excellent advices, among other things, he says, 'I declare I die not as a murderer, or as an evil doer, although this *covenant-breaking, perjured, murdering generation* lay it to my charge, as though I was a murderer, on account of the justice that was executed on that *Judas*, who sold the kirk of *Scotland* for 50,000 merks a-year.'

Edward Atkin was condemned and executed at the same time with Andrew Guilan. His crime was conversing with the laird of *Earlstoun*, which he acknowledged, and blessed God for the converse he had with him. Hard measure with a witness!

On the 18th of July, Sir Thomas Hope of Craighall, Skene of Hallyards elder, Holburn of Menstrie, and other gentlemen, were indicted before the justiciary for reset and converse, but were dismissed upon taking the test.

On the 23d the reverend Mr. William Carstairs was apprehended in England, at Kenterden in Kent, on suspicion that he was Mr. Fergusson, one of the supposed conspirators. He was admitted to bail for some days, after which he was committed to the common jail of the place. All he was accused of was his refusing the oaths, one of which had been then expired by law, viz. the *Oxford-oath*. After he had been there a fortnight, he was sent to London and committed for two days into a messenger's hands. During which time Sir Andrew Forester came to him, in the king's name, and offered him a pardon, and all kindness, if he would discover what he knew of that matter, which, says Mr. Carstairs, shews the falshood of what was positively asserted, in an account given in the name of the KING and duke of York, that never any hopes of favour were offered to any to induce them to confess. He was afterwards called before a committee of the council, and, not giving them that satisfaction they desired, was committed to the Gatehouse. He had for his fellow-prisoner major Holmes, who had been a friend and correspondent of the earl of Argyll, and to whom he was desired

Ed. Atkin.

Carstairs apprehended.

Committed to the gatehouse.

1683. to give a cypher of names to correspond with, and to which he added several with his own hand, which was well known to the earl of *Melford*. This proved afterwards prejudicial to him, for it was found among his papers when he was seized. Besides, the major told the lords of council that there had been some consultations about lending money to *Argyll*. He continued in the *Gatehouse* eleven weeks close prisoner; and, thinking himself secure against being sent to *Scotland*, under the protection of the *habeas corpus* act, in the first of *Michaelmas*-term he petitioned the court of *King's-bench* for either being brought to his trial or admitted to bail; but, the day after that, he was ordered to prepare for *Scotland*, in 24 hours, to be tried there for crimes committed in that kingdom, though for several years he had not been in that country but *en passant*. Accordingly he was sent to *Scotland* in the king's *Kitchen-yacht*, with several other *Scots* gentlemen, and was with them committed to the jail of *Edinburgh*, where he was close prisoner for several months, and where I must leave him in order to relate what happened in the mean time.

Laird of
Monk-
land pro-
secuted.

On the 24th *Robert Hamilton* laird of *Monkland* was prosecuted before the justiciary, and indicted 'for being with four servants at *Schaw-muir* in *June* 1679. 'keeping a council of war with the murderers of the 'archbishop of *St. Andrews*, conversing with them, 'entertaining them at his house, and that he entertained and received rent from tenants after they had 'been at *Bothwell*.' This gentleman was what was then called *regular*, and had never given the least evidence of what was accounted *disloyalty*. While the *west-country* army was near his house, and he was told that one of his children had strayed towards them, he went out to bring back his child, which he thought was no crime; but, though nothing else appeared against him, he was sentenced to be beheaded at the cross of *Edinburgh* on the 10th of *August* next. And though the sentence was not executed, yet the cruel treatment he met with bore so hard on his spirits, that he fell sick and died, and his son, at the *revolution*, was obliged to sell the half of his estate.

On the 24th, 25th and 30th of this month the following persons were imprisoned for alledged rebellion, reset of rebels, and other treasonable crimes, *viz.* John Porterfield,

Porterfield of Douchal, * James Hamilton of Aiken- 1683.
head, Mr. Andrew Hay of Craignethan, William Bre-
din of Whelpshill, John Gilkers heritor in Biggar,
James Paterfon in Shields, * J. Dunlop of Houshill,
G. Muirhead of Stevenson, Mr. J. Bannantyne of Core-
house, after the revolution minister at Lanerk, * G.
Houstoun of Johnstoun, J. Pirrie in Nuik, * G. Ha-
milton of Westburn, Allan Wat in Kirkcoun, A. Mack
and Donald Richmond in Harestocks, J. Bruce in Ne-
thertoun of Hamiltoun, Thomas Alstoun of Mynes,
James Strang, Archibald Roxburgh, John Muir, John
Robertson, Robert Wilson, Andrew Ross, John Allan,
William Paterfon, John Alexander, Thomas Bowis,
Thomas Dinning, William Smelly, James Brown, all
in Hamiltoun; James Muirhead of Bradisholm, James
and John Murrays in Auchinreath, Patrick Park writer
in Glasgow, Mark Marshall merchant there, Mr. An-
drew Kennedy, *alias* Weir, of Clowburn.

July 25. John Young in Linbank, Eliezer Allan and
his son John, Thomas Allan younger of Coldstream,
James Young chamberlain of Evandale, * James Stu-
art of Hartwood, John Fisher in Covington-mill,
James Creichton in Biggar, James Gilkerson in Side,
Matthew Hamilton son to Gavin in Haws, Alexander
Cunningham of Craigends, * William Muir of Glander-
stoun, John Anderson of Dovehill, Alexander Muir in
Pentland, Thomas Young in Cothill, John Meikle in
Nuikfoot, Ga. Semple in Overtoun, John Steil elder
in Brakenridge, John Cochran in Cairnduff, William
Thomson in Waterhead, Al. Hamilton in Haws, * Sir
John Maxwell of Nether-pollock, Sir John Schaw of
Greenock, * John Chiesly of Carswell, * Gavin Muir-
head of Lachop, * Sir Al. Hamilton of Haggs, James
Chancellor of Shielhill, Mr. John Hamilton of Hall-
craig, William Forrest of Maschoch-mill, Matthew
Thomson in Bothwell, J. Nasmyth in Allartoun, Ro-
bert Hamilton of Burnbrae, John Lowdon in Hamil-
toun, John Muirhead, Andrew Little, John Wright,
Robert Alstoun, James Mack, William Matthie there;
William Cook, John Lowdon in Carphin-bridgend,
Mr. William Russel chamberlain to Sir Daniel Carmi-
chael, * Sir Robert Sinclair of Stevenson, * William
Baily of Lamington, Al. Durham of Duntrevie,
Mr. William Douglass of Bads, Da. Oswald of East-
burn, Sir Patrick Hepburn of Blackcastle, * Ad. Cock-
burn

1683. burn of Ormiston, Mr. James Mitchel son to Owletson, John Flint in Breich-mill, John Wallace in Cleugh-head, Andrew Rob in Wailley, Mr. Patrick Inglis portioner in Eastbarnes.

July 30. John Peltin in Whitehill of Lesmahago, Archibald Crawford of Auchinmains, John Cannon of Headmark, James Galloway of Shields, Mr. William Rankin late schoolmaster at Ayr, Thomas Mackneilly in Ochiltree, John Speir there, John Forrest in Langhouse in Carlouk, Andrew Prentice, David Dykes, Andrew Hutchison of Sorn, Dunlop of that ilk, Fergus MacRubben of Knockdallen, Fullertoun of that ilk, David Boswell of Auchinleck, George Fullertoun of Dreghorn, Andrew Ramsay baker in Ayr, * David Blair of Adamtoun, John Smith of Rodaindykes, John Ramsay, * Sir David Carmichael of Mauldsley, and * Walter Lockhart of Kirkcoun.

These with [*] before their names, and a good many others, were released before the 22d of August, against whom nothing could be proved. Others gave bond to appear when called. Vast numbers escaped imprisonment by taking the *test*; but then there were not a few that were declared fugitives and outlaws by the justiciary on the said 25th of July, as W. Thomson procurator in Lanerk, Gideon Crawford merchant in Biggar, James Muirhead younger in Lanerk, John Clelland portioner of Stane, James Thomson of Harestocks, John Browning there, David Gilkerson, Hum. Stevenson, James Forrest, Al. Smith, John Scot, John Nasmith in Cledans, John Nasmith in Hamiltoun, William Bell, John Simson, Archibald Scot, John Marshal of Chapel, Robert Murray, Thomas Allan, and John Marshal in Kilsyth. How happy were the days when such numbers tasted the sweets of imprisonment, and the pleasures of outlawry!

New
commis-
sion.

The circuit-courts being over for this time, so many things were reserved to the council that they gave a new *commission*, on the 28th of July, to John Boyle of Kelburn, Ardmillan, colonel Buchan, &c. to hold courts for inquiring after those who were suspected as guilty of rebellion, or *reset* of rebels, or who maliciously slandered such as testified their loyalty by taking the *test*.

Orders to
the gover-
nor of the
Bass,

The same day messrs. MacGiligen, Philip and Spreul were ordered to be sent from the prison of Edinburgh to the *Bass*; and the governor of the *Bass* was enjoined to

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to suffer no man-servants to wait on the prisoners, to inspect all letters and papers sent to or from the prisoners, to suffer only two at a time to have the benefit of walking above the prison walls, between the rising and setting of the sun, and only two to come at a time from the shore to the prisoners, and always some to be present to hear their discourse.

The reverend Mr. *James Fraser of Brae* was seized at London, in this month of July, upon the breaking out of the plot, and soon after was brought before the king and the duke of York. After he had satisfied them as to his knowing nothing of the plot, the king asked him what he thought of the archbishop of *St. Andrews's* murder. He answered he had no hand in it, nor was accessary to it, yea, he was grieved when he heard of it; and, as he would not justify or have had a hand in it for the world, so for him to condemn it, or declare it murder, was what he could not do; that he was a doer of the law, and not a judge: And as to his inward sentiments, he desired to be excused, not being free to give an account of his thoughts before any human judicatory, who were only judges of mens words and actions. The king next asked him concerning the obligation of the covenants; to which Mr. *Fraser* replied, That though he had never taken the covenants, yet he looked upon himself as bound to all in them of a moral import. Though the king seemed to be satisfied with his having no concern in the plot, yet he was remitted to the lord mayor, who asked him if he would take the oaths. He declared he was willing to take the oath of allegiance, but demurred on that of the supremacy, and absolutely refused the *Oxford oath*; whereupon he was sent to *Newgate*, where he continued six months, and had such good entertainment, company and conversation, that he says he could scarce call it suffering. And indeed there was a great difference between the sufferers in *England* and those in *Scotland*, where the managers were acted from a real spirit of cruelty.

On the 2d of August, messrs. *Anthony Schaw, John Indulged Veitch, Rob. Millar, John Campbell, Rob. Boyd, William ministers Baily, and James Veitch, indulged ministers, were char-* prosecuted.
ged with treasonable crimes. The two first were ordered to be imprisoned at *Edinburgh*. The process against the rest was delayed. We shall meet with most of them

1683

Mr. Fraser of Brae

1683. them next year. On the 8th William Muir laird of Glanderstoun, who had been with others imprisoned on the 25th of July last, was released by an act of the justiciary. His case was singular. When he was in a fever he was blooded by Mr. Spreul, an apothecary, who was a non-conformist. This was constructed converse with rebels; and for this Glanderstoun was imprisoned. He was obliged first to petition the council, for the justiciary, at this time, was entirely under their direction. On the 16th the council ordered the king's advocate to raise a process of treason against the earl of Lowdown, lord Melvil, Sir John Cochran of Ochiltree and his son John, Sir Hugh Campbell of Cessnock elder, — Campbell of Cessnock younger, the lairds of Rowallan elder and younger, — Montgomery of Langshaw, — Fairly of Brunsfield, — Baily of Jerviswood, — Crawford younger of Crawfordland, — Steuart of Cultness, and — Denholm of West-sbiels. This process was raised on account of the plot; but it was some time before it was brought to any thing. And on the same 16th of August the council had a letter from his majesty, thanking them for their care of the orthodox clergy, and declaring that it was his pleasure they should pursue the same wholesom methods. This was no doubt acceptable; for on the 21st they wrote to the king, desiring that they might be empowered to nominate the justices of peace, in any of the shires, as they shall see needful, and that, as several had lost the opportunity of taking the test before the first of August, they might have a farther opportunity, and that the king would approve of what they had done, in empowering proper persons to examine witnesses in the country, in regard to persons suspected of the rebellion, or guilty of reset and converse with rebels. In short, the king granted all their desires, and they issued a proclamation, ordering the common people to take the test by the first of March next, in order to indemnify them for ever, as to their receiving, or conversing with such as were in the rebellion 1679. except those who have received, or conversed with the murderers of the late archbishop, or seditious field-preachers, or who were any way accessory to the late conspiracy. This they reckoned a great instance of clemency. But when perjury was the condition of their clemency, one would be ready to apply to them that saying, *The tender mercies of the wicked are cruel.*

Besides,

Case of
W. Muir
of Glanderstoun.

Process
against
the earl of
Lowdown,
&c.

King
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council.

The council's
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Besides, the taking of the *test*, according to the proclamation, secured the lives, but not the estates of such gentlemen as they could have an accusation against.

By this time Mr. *Alexander Gordon* of *Earlstoun* was come to *Scotland*, and had been several times examined by the council, and by committees of their number. His answers were open and sincere; but, after all their endeavours, they could find nothing relative to the plot. But, having been formerly forfeited in life and fortune, the justiciary, on the 21st of *August*, condemned him to be beheaded at the cross of *Edinburgh* on the 28th of next month. But, still hoping to make great discoveries, they were resolved to examine him by torture; but here lay their difficulty; they wanted some point of law for torturing one under sentence of death. Accordingly the same day they wrote to the secretary to advise with the king's advocate, then at *London*, 'whether, by the laws of the kingdom, and the circumstances he is in, being under sentence of death, he may be put to the question by torture, upon such pertinent questions as your lordship and he shall think fit to draw up, &c.'

Mean while, this same day, the lady *Moristoun*, a pious gentlewoman, was ordered to leave the kingdom, without having any thing to lay to her charge.

On the 29th of *August*, Mr. *J. Dick* son to *D. Dick* writer in *Edinburgh*, having been apprehended upon the information of a poor woman whom they had bribed, was examined by the committee for publick affairs, and in his answers exceeded the *bishop* in point of argument. On the last of *August* he was brought before the council, and subscribed what he had confessed upon his examination, viz. 'That he owned the work of reformation, as—contained in the confession of faith and catechisms, conform to the covenant against popery, prelacy, *erastianism*, &c. — As to *episcopacy*, he cannot understand it to be lawful, — that *episcopacy* and *erastianism*, established in that and subsequent parliaments, were contrary to the word of God, and that the supremacy therein established was most horrid blasphemy.' Then, directing himself to the chancellor, he said, he hoped his lordship would not take that ill, seeing he had sworn the same in the *test*, and desired that this might be added to his confession, but that was refused. 'He did not own the *Sanquhar* declaration,

Earlstoun
sentenced
to die.

Letters,
concern-
ing exam-
ining
him by
torture.

Lady
Mori-
stoun.

J. Dick
before a
committee
of council.

on,

1683. ' on, but owned the *Hamilton*, the lawfulness of self-
 ' defence, *field-meetings*, and that the invasion made a-
 ' gainst them at *Pentland* and *Bothwell*, they being in
 ' the exercise of religion, was service done to the de-
 ' vil, and that the resistance they made in their own de-
 ' fence was service done to God. — He confessed
 ' his being at *Bothwell*, but not at *Drumlog*, that the
 ' king was lawful born king, and came lawfully to the
 ' crown, and owned his authority conform to the
 ' word of God, — that the *covenants* were binding on
 ' the nations, and should be so to the end of time, and
 ' that that *oath*, called the *test*, was a most horrid and
 ' unlawful oath, and that he was not obliged to take
 ' the same. As to the killing of the archbishop, that
 ' he could not give his judgment about it, it not being
 ' an act of his own ; but that some of those who were
 ' called the actors, whom he knew, were holy and just
 ' men.' The council, when he signed the confession,
 failed not to improve it ; and accordingly ordered
George Bannerman advocate to prosecute him and *George*
Lapsley before the lords of justiciary.

Before the Thus on the 4th of *September* they were brought be-
 justiciary. fore the criminal-court, and indicted for treason. Mr.
Dick's confession was produced as evidence against him ;
 he owned it in face of the court ; and, being asked if he
 had any thing to add to it, he answered, ' he had only
 ' one clause, viz. that he was of opinion, that all the
 ' blood of the *presbyterians* shed those years bygone,
 ' merely for their principles, was murder.' The lords
 would not hear what he had to say in his own defence ;
 the jury brought him in guilty ; and he was sentenced
 to be hanged at the *Grass-market* on *September* 28th.
 When the sentence was pronounced, he told them,
 ' that to pass such a sentence upon him, without hearing
 ' him in his own defence, was a practice never parallel-
 ' led among the *heathens*.' And going on he was in-
 terrupted and carried off. But an incident happened
 which prevented his execution at this time, which I
 shall presently relate.

George
 Lapsley
 before a
 committee
 of council.

George Lapsley was for some time a miller at *Linlith-
 gow-mill*, and was one of those multitudes who was
 converted by the gospel preached in the fields. At
Bothwell he was wounded in the leg, and made prisoner.
 When before a committee of the council, he dis-
 covered, by his answers, that he was a man of undaunt-
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ed courage and resolution. As he was called before them 1683. he was reading his bible, and carried it with him under his arm. Bishop *Paterfon* was the first that attacked him, and asked if he thought *Bothwell-bridge* rebellion; he answered, *Sir, you are a perjured prelate, I will answer you no questions.* The other lords examined him in the manner following.

Question. Wherefore are you in prison? *Answer.* His examination. For hearing the gospel. Q. Do you go to church? A. No. Q. Wherefore? A. Because they are not the sent ministers of Christ, and because of their perjury. Q. Will you own the king's authority? A. According to the word of God and covenants, and no otherways, which you have broken and burnt, and for which the Lord will be avenged. Q. Did you write to Mr. *Dick*? A. Yes. Q. Who wrote the letter? A. I will give no account. Q. Was the bishop's death murder? A. I am not concerned with his life or death either. Q. Was *Hackstoun's* death a murder? Yes, and all those whose lives you have taken these two and twenty years. Q. Was you at *Bothwell-bridge*? A. I will not accuse myself. Q. What thought you of it? A. I thought it duty and not rebellion, and all that were on the contrary party were in rebellion against God, and that you will find. Q. Did you converse with Mr. *Welsh*? A. Yes, and I bless God for it. Q. What book is that under your arm? A. It is the acts of the parliament of heaven, and I charge you, as ye shall answer at the great day, when ye and I shall stand on equal terms, that ye judge according to what is contained in it. Q. Is it lawful to resist the king's forces at the field-meetings? A. Yes, the law of nature allows self-defence, and the word of God and our covenants to stand to the defence of one another.

Notwithstanding these bold answers, they were restrained from passing sentence of death, and he escaped before they had another opportunity, and lived a merchant in *Edinburgh* for many years after the revolution.

On the 12th of September garrisons were appointed in *Garrisons, Dumfries, Kaitloch, Earlsfoun, &c* which effectually carried on the persecution against all non-conformists.

Four days after this Mr. *John Dick, George Lapsley, Prisoners* and 24 more, made their escape out of the prison at *Edinburgh*; for which the magistrates were called to an

1683. account, reprimanded, and enjoined to be more careful for the future. Mr. *Dick* was afterwards taken and executed.

Earl-
stoun or-
dered to
be examin-
ed by tor-
ture.

On the 19th the council had a letter from the king, ordering the *fugitive-rolls* to be printed; and next day a letter came from *Middleton* the secretary, to the chancellor, relating to the torture of the laird of *Earlstoun*, (p. 191.) in which it was declared, that though a man cannot be tortured on questions relating to the crime for which he is condemned, yet he may be tortured for what relates to plots, conspiracies and combinations that have happened afterwards; and since Mr. *Gordon* had a commission from the *rebels*, and it doth appear from a letter to him, from *I. N.* dated at *London*, *March* the 20th last, that he was privy to the late conspiracy, &c. therefore his majesty resolved that he be put to the torture, and interrogated concerning those from whom he had the said commission, and concerning the said conspiracy. In consequence of this the council, the same day, appointed a committee to meet next *Tuesday*, and examine *Earlstoun* by torture.

His decla-
ration.

Accordingly, on the 25th of *September*, *Earlstoun* was before them; but though the instrument of torture was standing by, yet it was not used, because he declared he would be as ingenuous, and more full than he could be in torture. There were two things upon which he was chiefly examined, viz. the commission from the *societies*, called in the interrogatories the *pretended convention*, and the letter signed *I. N.* As to the first, he declared, 'That the first time he met with that pretended

Sprat's
copies of
informa-
tions,

p. 150.

p. 151.

' *convention* was near the *Inner-kirk* of *Kyle* in the fields, ' about two years ago, and that there were about 80 ' persons, or thereby; and that he was brought there, ' from his own house, by one *John Nisbet*, whom the ' declarant knows no farther than that he is a west- ' country-man about *Glasgow*, and that *John Nisbet* is ' another *John Nisbet* that wrote a letter to him to *Hol-* ' *land*, under the notion of *trade*, relating to the rising ' and rebellion in *England*. And farther, that, about a ' year and a half ago, he met with another *convention*, ' consisting of fourscore persons, or thereby, in the fields, ' within five miles of the former place near *Inner-kirk*, ' and that very few of them had swords; to which meet- ' ing he was advertised to come by a letter sent to his ' house subscribed by Mr. *James Renwick*, who is clerk to ' the

the convention, and heard of no ministers being among them at either of these times; and says there were people there from all the districts in the several shires of the kingdom; which districts he was informed were fourscore, and that in them all there would have been 6 or 7000 men; and he knew none of the persons in either of their meetings, except Mr. *James Renwick* the clerk, the said *John Nisbet*, who came from a district beside *Galloway*, and *William* and *James Stuarts*, who came out of *Galloway*, *Robert Speir*, who came from the *Lothians*, and one *Forrest*, who came from the upper ward of *Clyde*; and that, at these general meetings, they produced their commissions from the several districts to the clerk, that it might appear that they were commissionate to get relief for the distresses in their bounds; that the business of the convention was to provide for those among them that were in want, and for their own security against the dangers they were in, being denounced fugitives from the laws, and in hazard to be caught by the governors; and that he heard nothing treated of, or spoke amongst them, as to *rising in arms*, nor knows of any correspondence these of the convention had with any in *Ireland*; and as to *England*, he supposes there was a correspondence there, but knows not those that managed it, except the said *John Nisbet*, he having shewn the declarant a letter he had from *Michael Sheills*, one of the clerks of the convention, which he saw in the end of *March*, or beginning of *April* last,—that he accepted the commission, to see if there could be a way found for the distressed brethren to go abroad, or to have something from abroad to maintain them there, —that the commission was sent him to *Newcastle*, by a common receiver, whom he knows not, directed to him at his lodging, at the sign of the vine in the *Gateside* in *Newcastle*, his landlord's name being *George Marshall* a publick inn-keeper, and addressed to him under the name of *la Gravel*, &c. As to the letter from *I. N.* he explained all the parts of it they required, as the reader may see in the copies of informations by *Sprat*; and no farther could appear from his declaration, than that there had been conferences, among those who wished well to their country, about the most proper methods for rescuing it from approaching slavery, and consultations about *rising in arms*; but nothing of assassinating either the

KING

1683. KING or the DUKE. To use the words of a modern historian, 'There was nothing more in it, than the rash and imprudent discourse of some warm *whigs*, which, in so critical and dangerous a conjuncture, was very hazardous; but no scheme of a *plot* was agreed upon, no preparations were made, no arms nor horses bought, nor persons appointed to execute any design against the king or government.'

Reprived from time to time. Notwithstanding *Earlsfoun* had been most open and full in his declarations, yet, in less than two months after this, he was, in consequence of a new letter from the king, ordered to be put to the torture; but, as I am assured by his son, when they were going to put him in the boots, he turned furious, and frightened the whole court; and that this, and the interest of the duke of *Gordon*, who was his firm friend, were the occasions of his life being preserved. The physicians advised that he might be sent to the castle for the benefit of the air. He perfectly recovered in eight or ten days. In short, this worthy gentleman was reprived from time to time, and was at last sent to the *Bass*, where he had sometimes more, and sometimes less liberty, with his excellent lady, till he was released by the *revolution*.

Mr. Renwick returned to Scotland. Some time in *September* Mr. *James Renwick* returned to *Scotland*. After his ordination he went with all expedition to *Roterdam* to take the first opportunity of a ship. It was some time before he found a conveniency; at last he got aboard a vessel bound for *Ireland*. While at sea they were overtaken with a storm, and forced to put in at *Rye-harbour* in *England*, which happened during the noise of the plot; but getting off he arrived at *Dublin*, and from thence sailed to *Scotland*, where he joined the societies, who chose him for their minister. His first publick meeting was in a moss at *Darmead*, where, for his own vindication, and the satisfaction of the people, he declared all his sentiments about the then puzzling questions, particularly concerning the defections of ministers, and shewed what ministers he would and what he would not join with; and, as he named the latter, he gave his reasons why he could not join with them. Some present were offended at his naming some ministers, which when he came to understand, he wished he had not been so particular in mentioning names, since it had given offence; but he declared his end was harmless, and that it flowed from no prejudice at their persons,

persons, nor disrespect to their names. After this he was exposed to many slanders and reproaches, too numerous here to mention. And many sought to defame his principles, as not only unsound, but also pernicious; and I am sorry to have it to say, that none reproached him more than the indulged of his own communion.

In the mean time, by the noise that went of him through the country, the council soon got intelligence, and were galled at the thoughts of his preaching in the fields; which practice had been laid aside since Mr. Cargill's execution; but was now revived by Mr. Renwick, notwithstanding the inevitable danger to which it exposed both him and his followers. But, considering the necessities of the people, who had been long without ordinances, and could not submit to the indulged, he engaged in the difficult work, and was heartily received by the poor persecuted people, who, for the sake of the gospel, were determined to venture their lives. The council soon began to shew their resentment; for, on the 8th of October, they fined the laird of Dundas and the trades of Glasgow in 50 L. sterl. each, because of a field-meeting which Mr. Renwick had preached to, and baptized several children at Brownridge belonging to Dundas's estate, and in the parish of New-Monkland belonging to the trades of Glasgow.

The same day Mr. Thomas Hog and Mr. Thomas Wilkie were fined for conventicles, the first in 5000, and the second in 10,000 merks. The former soon after went to Holland, and the latter seems to have been minister of the Canongate after the revolution.

Some time in this same month James Forrest in the parish of Cambusnethan, his son, and his nephew Robert Gourlay, were banished to West-Flanders. But returning, he, his son, and daughter Margaret Forrest, were seized and banished, she to Jersey, and they to Jamaica, after a long imprisonment. The prisons, especially at Edinburgh, were crowded, and many of the prisoners were transported to the plantations for their non-conformity, and alledged reset and converse. One William Inglis a mason was taken out of his bed, upon a bare information of his being a non-conformist, and, after a long imprisonment, was sent to Carolina, where he died.

But the treatment of George Jackson, in the parish of Eastwood, shews the inhuman and bloody spirit of the prelates as much as any. While at Glasgow he was overheard

1683.

Laird of Dundas fined.

Mr. T. Hog, &c.

Sufferings of J. Forrest.

George Jackson,

1683. overheard at prayer, and immediately suspected for a *presbyterian*, and so was seized some time in this month of *October*. There was nothing they could lay to his charge. He was soon brought before the bishop of *Glas-*

gow, who examined him as follows. *Question*. What now, master *Jackson*? *Answer*. I was never a scholar. *Q*. Can you read the bible? *A*. Yes. *Q*. Was ye at *Bothwell-bridge*? *A*. Yes. *Q*. What arms had ye? *A*. An halbert-staff. *Q*. Was ye an officer? *A*. No, I was but sixteen years of age. *Q*. Who was your captain? *A*. A young man. *Q*. How called they him? *A*. I am not bound to give an account to you. *Q*. Was you at *Bothwell-rebellion*? *A*. I allow myself in no rebellion against God. *Q*. Was it rebellion against the king, or not? *A*. I have answered that question already. *Q*. Would ye go to it again? *A*. The question is like yourself. I know not. *Q*. Will you say, *God save the king*? *A*. It is not in my power to save or condemn. *Q*. Will ye pray for him? *A*. I will pray for all within the election of free grace. *Q*. Whether is the king within the election, or not? *A*. If you were the man you profess to be, you would not ask such a question; it belongs only to God. *Q*. Do you own the authority as it is now established? *A*. No, but I own all authority so far as it is according to the written word of God. *Q*. Do you own the king and inferior magistrates? *A*. In so far as they are a terror to evil doers, and a praise to them that do well. *Q*. Are they not that? *A*. When the Lord *Jesus Christ* shall sit judge, they and ye, and the like of you, will count for it, whether they be so or not. *Q*. Is the bishop's death murder, or not? *A*. If your questions be upon these matters I am not concerned with, I will keep silence.' He was then examined concerning some papers found about him, but declining to answer, the right reverend prelate mildly said, *Sir, the Boots shall make you free*. He refused to subscribe what he had said, because he looked upon that as an acknowledgment of their unjust laws. In short, he was kept in irons all winter till the month of *May*, when we shall meet with him again.

Cruelty to
prisoners.

In the beginning of *November* a party apprehended about 12 persons in the parish of *New-Monkland*, and carried them to *Hamilton*, where they were increased to 30, and from thence carried them to *Lanerk* in the night.

night-time, and cast them into a dungeon, where they were forced to stand the rest of the night, without meat, drink, fire or candle. Next day they were tyed to one another, two and two, set on bare horses, with their legs tyed under the horse's belly, to the effusion of their blood. In that posture they were obliged to ride at the gallop for sundry miles, without being allowed a refreshment, though *Bonshaw* and his soldiers stopt at most of the publick houses on the road. One of the poor prisoners begged leave to light and ease nature, but the cruel commander would not suffer it. When they got to *Edinburgh*, they were for some days neither able to walk, sit, nor stand.

During these proceedings things were preparing for the trial of several in *Scotland* who were said to be concerned in the plot. Accordingly, on the 22d of *October*, the *Scott* council at *London* ordered the laird of *Cesnock* and his son, *Rowallan* elder and younger, *Crawfordland*, *Bruntisfield*, *Alexander Monro* of *Beautrofts*, *Jerolwood*, *Mr. William Garstairs*, *Hepburn* son to major *Hepburn*, *Spence* servant to the earl of *Argyll*, prisoners at *London*, to be sent to take their trial in *Scotland*; and, by a letter from the king, the advocate was ordered to prosecute them for treason. They were sent down accordingly.

Cesnock, &c. ordered to be tried for the plot.

Mean while cruelty and injustice were riding in triumph in *Scotland*: For, on the 15th of *November*, *Sir W. William Scot* of *Harden*, a gentleman near 70 years of age, was fined in 1500 *L. sterling* for his lady's withdrawing from the church. And, because his confinement in prison at *Edinburgh*, for near six months, was like to destroy his health, the council, out of their great clemency, ordered him to the castle. He was afterwards sent to the jail of *Jedburgh*, and from thence to that of *Edinburgh*. He was released it seems in *August* next year, upon *Sir Patrick Scot* of *Ancrum*'s bail for 1500 *L. sterling* to present him the *Tuesday* following; and none of them appearing that day, the bond was declared forfeited.

Sir W. Scot of *Harden*.

On the 28th *John Whitelaw* in *New-Monkland* in the *Three* shire of *Lanerk*, *Arthur Bruce* in *Dalsersf*, and *John Cochran* shoemaker in *Lesmahago*, were indicted before the lords of justiciary at *Edinburgh* for treason. They had nothing to lay to their charge, but the answers they gave to their ensnaring questions, as in many former

country-men executed.

1683. former cases, and yet they were condemned to be executed on the 30th. They were persons from whom the government had nothing to fear; and nothing can be said but that the managers thirsted after blood. The last mentioned had a wife and six small children, whom he left to the protection of the Almighty, as he declared in his last testimony. They all died with a holy cheerfulness, adhering to their covenanted principles, and bearing witness against popery, prelacy, and the test, and every thing else contrary to the written word of God.

Protestation against the Scots congregation at Rotterdam. The same day these three were condemned, the general meeting of the united societies drew up a protestation against the Scots congregation, ministers and church-session at Rotterdam, and sent it to Mr. Hamilton their agent. This action was very much condemned, and, in their *informatory vindication*, they do not justify some expressions in it, though they own they had matter for a protestation. Thus they conclude, 'Considering that the causes inserted, materially considered and rightly applied, are both true and sufficient for a protestation, we desire that it may be looked upon as a standing testimony, (together with what contentings have formerly been by some faithful Scottish sufferers in that land) for the vindication of truth, and against the sad wrongs and abuses in that congregation, ay and while the causes inserted are maintained, and the offence and scandal given not removed. Yea, in very deed, a deep sense, in the meantime, of the sins witnessed against by the foresaid protestation, would make all therein involved more favourably and charitably to construct of the action.'

Commissions. On the 29th commissions were given to sundry gentlemen, in several shires in the south and east, to attack heritors who had not given satisfaction with respect to their converse with rebels.

Searches. During the months of *October* and *November* searches were common and severe, especially in *Glasgow*. All strangers who did not answer their ensnaring questions were carried either to the guard or prison. Multitudes were thus apprehended, and sent to *Edinburgh*. One night they caught *John Richmond* as he was walking in the streets, *John Dick* and *John Williamson*. The first was carried to the guard, where he was most cruelly tyed neck and heel, and left in that posture

sture bleeding of the wounds which he had received 1683. in making some resistance when taken. He was executed, as we shall relate. The second was banished to *Carolina*, and the third made some compliances, of which he afterwards repented. One *John Main* was also seized at this time in arms, and was likewise executed.

On the 6th of *December* one *Margaret Garnock*, after M. Garnock about a year's imprisonment for pretended converse with rebels, was released.

Next day lord *Livingstone* was, by the council, appointed provost of *Linlithgow*, in regard the former magistrates did not exercise their authority against church-disorders; so that this town was deprived of its privileges, and were obliged, not only now, but also in the following infamous reign, to submit to the nomination of magistrates made by the council.

As the process against several gentlemen and others, at this time, before the justiciary, came to nothing, I purposely wave them. About 20 were summoned to appear on the 10th, and not appearing were declared fugitives, and put to the horn.

On the 19th a number of gentlemen were imprisoned for the same cause with those in *July*; some of them it seems were *papists*, who were so honest as to refuse the *test*; but, as I cannot distinguish the one from the other, I omit their names. However, the *papists* had little to fear under the present administration, since the reins of government were in the hands of their friend the duke of *York*. These were ordered to the prison of *Edinburgh*, with Sir John Riddel, John Maxwell of *Gribtoun*, Ro. Carlisle, James Lindsay, James Hume brother to *Bassinden*, Hugh Dumbar of *Knockshinnoch*, and Robert Nisbet of *Greenholm*.

The same day about 30 persons, mostly tradesmen and country people, were declared fugitives, and several others denounced; and the magistrates of *Edinburgh*, to shew their zeal for *prelacy*, made an act against *conventicles*, by which they offered 60 *l. Scots* to the discoverer of any *conventicle*, unlawful baptism or marriage, or the entertainer of any *intercommuned* or vagrant person, and 12 *l. Scots* to such as should discover any person that kept not the church.

Some time this month another general search was made at *Glasgow*, when *John Buchanan*, a young student, was

1683.

Town of
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its privi-
leges.

Gentle-
men im-
prisoned.

All of
the magi-
strates of
Edin-
burgh.

J. Buchan-
nan.

1683. taken, and, after some time's imprisonment, was transported to *Carolina*.

Sufferings
of James
Dun.

James Dun in *Beauwhat*, in the parish of *Dalmellington*, a pious man, suffered much in his family at this time. He had four sons; one was killed, another was banished, and his youngest son *Quintin*, not quite 14 years of age, was apprehended and imprisoned at *Ayr*. Nothing could be laid to his charge. His father was forced to pay 240 *l. Scots* before he could get him released. This was more than they could have got for him had they sold him for a slave, as they afterwards did.

C H A P. IX.

Of the persecution this year in general; the proceedings of the council and justiciary; the sufferings of particular noblemen, gentlemen and others; together with the publick executions, till the end of August 1684.

1684. **T**HE longer persecution lasts the worse it grows, as appears from the preceeding part of this work; but this year and the following open a more bloody scene than any before, being what the oppressed people justly called *Killing time*.

Severities
of courts.

The courts held by commission in the former years increased their illegal severities in this; for, when they had nothing to accuse persons of since *Bothwell*, they went as far back as *Pentland*. The fines were exorbitant, and the curates egged on the oppressors. At one of these courts, held at *Kirkcudbright*, Mr. *Colin Dalglish* the curate caused almost the whole parish to be summoned, and excused or accused whom he pleased. Particularly, through his instigation, *James Martin* of *Dularg* was fined in 1000 *l. Scots* for his wife's not keeping the church, and cast into prison till he paid it; but, through bad usage and want of accommodation, he was seized with a cholick of which he died in prison.

J. Martin
died in
prison.

Imposition
of the test.

The test was imposed with rigour at these courts upon all whom they suspected, and the recusants imprisoned. This made several take it contrary to their consciences, which afterwards filled them with dreadful remorse. One *William Spaldie*, a taylor in *Glasgow*, died in despair on this very account; for, when they spoke to him of the

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the extensiveness of the divine mercy, his answer was, 1684.
Speak not of mercy to me, I have appealed unto God, and attested him to judge me, and he will do it. I have sealed and signed my condemnation with my own hand. But I purposely omit other instances, which the reader will find in my author.

The quartering of soldiers for not paying the *cess* ^{Sufferings} was another occasion of great oppression. The reasons ^{on account} why many refused to pay this have been mentioned †. ^{of the} Soldiers were sent to the recusants, and quartered upon † ^{cess.} Vol. I. them till ten times the value of the cess was destroyed; p. 412, and, after all, a composition was forced to be made &c. with the collectors. Seven cows were taken from one *Gavin MacLymont* in the parish of *Carssphairn*, upon his refusal, after the loss he sustained by quartering, though he was not charged above the value of 15 shillings *sterl.*

Multitudes were banished, many of whom never re- ^{Many ba-} turned. I shall have occasion to mention several of ^{nished.} these afterwards in their proper place. Only here I would observe, that one *John Gate* was committed to ^{J. Gate.} prison at *Glasgow*, for modestly declining to drink the king's health; his wife was imprisoned in a different room in the same jail, where she fell sick; and, though she was with child, could not get out till a surgeon gave a certificate that her life was in danger but, when she was released, she was not suffered to go with her eight children to her own house; and the people, being terrified at the dreadful persecutions for *reset* and *converse*, would not take her in; so that she was obliged to ly in the streets, till the lady *Arday*, notwithstanding the hazard she ran, gave her the conveniency of her brew-house, where three of her children died. Her husband continued several months in irons, and was at last transported to *America*, where he died. She survived her troubles, and was alive when my author wrote his history. *George Russel*, in the parish of *Cambusnethan*, was first imprisoned, and then sent abroad to the army, where he died, for the great crime of having a child baptized at a *conventicle* some years before.

This year the most unhuman practice of killing inno- ^{J. Smith} cent people in cold blood, in the fields, began to be ^{murdered,} used, and publick authority was given for it, as we shall relate it in its proper place; but before that could be pretended it was put in practice. Accordingly, as one *John Smith* was returning from some meeting, he was taken

1684. taken ill, and sat down in the fields. A party of soldiers coming that way, without any process or ceremony, shot him where they found him.

Many died in prison.

The prisons were crowded, and many died there, particularly *George Shiells*, *Thomas Scot* in *Bouchester*, *John Falla* in *Kelfo*, and *Thomas Turnbull* in *Ancrum*. But I shall now relate the most remarkable transactions of this year, as near as I can, in the order of time.

King's letter about fines.

As fines were one of the sore oppressions the country groaned under, so the most of these were squandered by the exactors, and a small part of them was accounted for. But, on the 3d of *January*, a letter from the king was read in the council, and recorded, wherein his majesty required them to call judges and magistrates to an account for what fines they received, and to pursue those heritors who were fined and had not yet paid them, as they should see proper. A committee was appointed to take this matter under consideration, and agreed, that the heritors, who had not paid their fines, should be charged to do it in 15 days; and that such of them as applied for mitigation should be heard before the council. Whether the council examined the magistrates, &c. as to the way the fines were disposed of, is not on record, farther than that it appeared, that the magistrates of *Edinburgh* had received 8349 *l.* 12 *s.* *Scots*, and were allowed 200 *L. sterl.* for their charges, which was a tolerable good allowance, and would be very encouraging to other magistrates in their severe exactions.

Mr. Campbell, &c.

The same day *Mr. John Campbell*, indulged minister at *Sorn*, and *Mr. James Veitch* at *Mauchlin*, were deprived of their licence, and ordered to find surety to leave the kingdom by the first of *March*, or to exercise no part of their ministry, because they had preached in private families, and had not read the proclamation for the thanksgiving. *Mr. Veitch* went to *Holland*, where he continued till the toleration. The same day one *John Miller* of *Watershaugh* was released, upon giving bond, under the penalty of 5000 *L. sterl.* to appear when called. He had been nine months in prison, upon mere suspicion of correspondence with rebels, as they were called. And,

Justiciary commissaries.

At the same time, a new commission was granted to the provost of *Glasgow*, and others, for the shires of *Lanark* and *Dumbarton*, and to the sheriff-depute of *Dumfries*,

fries, and others, for *Dumfries*, *Kirkcudbright*, *Wigtoun* 1684.
and *Annandale*, for judging those who were or should
be apprehended for being in the late rebellion, or for
justifying the same, or disowning the king's authority.
The like commission was afterwards granted for *Renfrew*
and *Ayr-shire*. If prisoners were silent, as to the que-
stions proposed to them, the commissioners were direct-
ed to delay proceeding against them, to administer the
test to such of them as desired it, and to acquaint the
council with their case, but to execute justice upon the
guilty. The same orders were repeated to the justices
of *Dumfries*, with this alteration, that when such pri-
soners, against whom there is no proof, refused to an-
swer, they were to be sent to *Edinburgh*. In short, these
commissioners were afterwards empowered to act against
those who were without the bounds of their commis-
sion. I shall only add here, that the laird of *Meldrum*
got likewise a commission for trying rebels in *Lanerk-*
shire. We shall hear of several condemned at *Glasgow*
in consequence of these commissions.

Mean while, on the 7th of *January*, Mr. *Anthony Mr.*
Schaw, indulged minister at *Newmills*, was indicted before *Schaw*.
the justiciary at *Edinburgh*, for preaching at a *field-con-*
venticle. The case was this: When assisting the indulged
minister at *Colmonel*, at the Lord's supper, the number
of people was greater than the church could contain, so
that Mr. *Schaw* preached in a tent in the church-yard,
a thing very common in *Scotland*; for which crime
this good man was tried for his life. However, the pro-
cess was dropt, on condition of his appearing before
the council on the tenth. He appeared, his *indulgence*
was taken from him, and his church declared vacant,
and he was not released till bail was found that he
should no more exercise any part of his ministry. And
indeed such attacks as these were made on all the *indul-*
ged. What then must have been the case of others?

I have had occasion to relate the case of husbands be-
ing fined for their wives non-conformity, and of the ex-
orbitant fine imposed on Sir *William Scot of Harden*,
who, on the 22d, presented a petition to the council, de-
siring some enlargement in prison, where he was con-
fined for the extravagant sum imposed upon him. The
council, on the 23d, wrote to the king for his approba-
tion of what they had done, in fining husbands for their
wives, and desiring his majesty would empower them to
dispense

Council's
letter a-
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1684. dispense with the fines of loyal husbands, who were no ways to be suspected of connivance with their obstinate wives, but were content to deliver them up to be punished. The king granted their request, and approved of what they had done.

Bishop
Burnet's
account of
this, p.
582.

There had, for some time, been a breach between the earls of *Aberdeen* and *Queensberry*, who were of different sentiments with respect to fining the husbands for their wives not going to church. 'Lord *Aberdeen*, says bishop *Burnet*, stood upon this, that the act did not mention the wives. It did indeed make the husbands liable to a fine, if their wives went to conventicles, for they had it in their power to restrain them: And, since the law provided in the one case, that the husband should suffer for his wife's fault, but had made no provision in the other case, as to their going to church, he thought, the fining them on that account could not be legally done. Lord *Queensberry* was for every thing that would bring money into the treasury: So, since in those parts the ladies had for many years withdrawn from the churches, he reckoned the setting fines on their husbands, to the rigour, would make all the estates of the country be at mercy.——The earl of *Perth* struck in with this, and set it up for a maxim, that the *presbyterians* could not be governed but with the extremity of rigour, and that they were irreconcilable enemies to the king and duke, and therefore ought to be extirpated. The ministry being thus divided, they referred the decision to the king. And lord *Perth* went up to have his resolution. The king determined against the ladies, which was thought very indecent; for, in dubious cases, the nobleness of a prince's temper should always turn him to the merciful side. This was the less expected from him, who had all his life time expressed as great a neglect of womens consciences, as esteem for their persons.'

Perth
made
chancellor.

Burnet,
p. 583.

But he was determined to it by the duke, who, since the breaking out of the plot, had got the whole management of affairs——into his hands. *Scotland* was so entirely in his dependence, that the king would seldom ask what the papers imported which the duke brought to be signed by him.——The breach grew so wide between *Aberdeen* and *Queensberry*, that both were called up to give an account of it. It ended in dismissing lord *Aberdeen*, and making lord *Perth* chancellor; to which, says *Burnet*, he had been long aspiring in a most indecent

cent manner. He saw the duke's temper, that his spirit was turned to an unrelenting severity, as he shewed very indecently in *Scotland*. For, 'when any are to be struck in the *boots*, it is done in the presence of the council; and upon that occasion almost all offer to run away. The fight is so dreadful, that, without an order restraining such a number to stay, the board would be forsaken. But, when the Duke was in *Scotland*, he was so far from withdrawing, that he looked on all the while with an unmoved indifference, and with an attention, as if he had been to look on some curious experiment. This gave a terrible idea of him to all that observed it, as of a man that had no bowels nor humanity in him. Lord *Perth*, observing this, resolved to let him see how well qualified he was he was to be an *inquisitor-general*; for as, in the court of *inquisition*, they do, upon suspicion, or, if a man refuses to answer upon oath, give him the torture, and repeat it and vary it as often as they think fit, and do not give over till they get out of their mangled prisoners what they have a mind to know, so lord *Perth* resolved to make this his pattern.'

1684.

Duke of
York's
cruelty.
Ibid.

While lord *Perth* was at *London*, bishop *Leighton* died at the *Bell-inn* in *Warwick-lane*, after he had lived ten years in *Suffex* in great privacy, dividing his time wholly between study and retirement. He was certainly the best of all the *Scots* bishops, and no person can have a better character than what bishop *Burnet* gives him, who, among other things, says, that he was, in his last years, turned to a greater severity against *popery* than he imagined a man of his temper, and of his largeness in point of opinion, was capable of. While I am speaking of *Leighton's* death, I shall add, that *Burnet* archbishop of *St. Andrews* died some time this year, of whom see *Vol. I.* and was succeeded by Mr. *Arthur Ross* archbishop of *Glasgow*. The bishop of *Sarum* says, that he was a poor, ignorant, worthless man, but in whom obedience and fury were so eminent, that these supplied all other defects. But to return.

Leigh-
ton's
death.
Burnet,
p. 588,
589.

On the 30th of *January* Mr. *William Eccles*, indulged minister at *Paisley*, and Mr. *Robert Elliot* at *Lintoun*, *Eccles*, were deprived of their licences, and ordered to find bail, &c. either not to preach, or leave the kingdom. They had broke their confinement, *i. e.* preached in other places besides their own parishes, and had not preached every 29th of *May*. Mr. *Thomas Black*, indulged minister

1684. nister at *Newtyle*, being summoned, and not appearing, was declared rebel.

Sir Hugh Campbell of Cefnock ordered to be prosecuted.

On the 12th of *February* Mr. *Ezekiel Montgomery*, sheriff-depute of *Renfrew*, was ordered to be imprisoned for some pieces of misconduct in his office. The same day the countil ordered the advocate to prosecute *Sir Hugh Campbell* of *Cefnock* for treason; and, lest *Sir Hugh* should have the benefit of *Sir George Lockhart*, they appointed that able lawyer to assist the king's advocate in the prosecution. However, *Sir Hugh* was permitted to have what other lawyers he pleased.

George Martin, &c. condemned.

On the 18th *George Martin*, some time notary and reader in *Dallay* in the shire of *Ayr*, *John Ker* in *Hownum*, and *James Muir* at *Cessford-boat*, were indicted before the justiciary at *Edinburgh* for treason, and their confession, or answers to the usual questions, were produced as evidence against them. They confessed they did not own the king's authority as then established, nor account *Bothwell* rebellion, nor *Sharp's* death murder, &c. They were condemned to be hanged at the *Grass-market* of *Edinburgh* on the 22d. The *Cloud of witnesses* speaks only of *George Martin*, and of one *John Gilry* in the parish of *Hownan* in *Tiviotdale*, who, my author thinks, was the same with *John Ker* mentioned in the registers, and says he had two letters, signed *John Gilry*, from the *Iron-house*, the 27th of *December* 1683. which breathe a spirit of humility, self-diffidence and meekness. They all died with much composure, and joy in the Lord. And it cannot but be a constant reproach on the managers at this time, that so many pious persons, whom God owned so signally at their death, were butchered and led to the slaughter for their principles, and because they could not, over the belly of conscience, express their loyalty and approbation of wicked rulers who had overturned the foundation of all legal government, and deprived the subjects of their religion and liberty.

Why he could not say God save the king. Ch. of Wit.

George Martin had endured a long train of sufferings with great patience. He was apprehended about the end of the year 1679. so that he had been confined for near four years and four months, and for a considerable part of that time been in irons night and day, without fire and other necessaries. In his last testimony he gives the reasons of his conduct; and, concerning praying *God save the king*, says, among other things,

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‘ Another reason why I cannot pray after such a manner is, I find, when prayers are rightly discharged, and seriously gone about, in the manner, time and place as is warranted by the word of God, God is thereby worshipped and honoured; but if irreverently gone about he is dishonoured, and his name profaned and taken in vain, which is an abomination to him, and which he says his enemies do, and for which he will not hold them guiltless. — I dare not pray it, because all the profane and profligate persons have it always in their mouth, especially when they are drunk.’ — He concludes his testimony with many serious and pertinent advices, which I cannot here insert.

1684.

On the 21st the council wrote to the secretary in favour of Mr. *Thomas Hamilton of Raith*, who had in June last been forfeited in life and fortune for alledged accession to *Bothwell*. In their letter, though they owned his loyalty, and that there were many favourable circumstances in his case, yet they asked for a pardon only with respect to *his life*, which was granted; but his estate, goods and chattels continued under forfeiture, though they could have nothing against him as acting contrary to their laws. I shall leave the reader to make his own reflexions.

Mr. Hamilton of Raith's case.

On the 4th of March *James Forrest* younger, *John James Colin*, *Joseph Gourlay*, *Dennis Gilcreof*, *Thomas and George Jacksons*, were banished, by the committee for publick affairs, to *West-Flanders*, never to return on pain of death. In their testimony they vindicated themselves from the imputation of disloyalty and rebellion, and left their testimony for the scriptures, confession and covenants, against popery, prelacy, &c. and particularly *John Colin* gives the reason why he could not say *God save the king*, because, when he desired the committee to explain the meaning of the words, he was told that they imported an owning of his person and government, and the laws and present acting, which, said he, *satisfied me much, and I think no serious christian would approve those.*

&c. banished.

About the beginning of March Mr. *John Dick* was again apprehended, and brought before the council, and, upon his refusing to give an account of the manner of his escape, was referred to the justiciary, who,

Mr. J. Dick ordered for execution.

1684. on the 4th, ordered him to be executed next day, which was done accordingly.

His letter to his father. He wrote several pious letters to his friends before his execution. In that to his father he gives a most pointed account of the Lord's first effectual dealing with his soul, and concludes with these words, 'I hope, ere long, the copstone shall be put on, the result of which shall be praises and shouting to Him that sits upon the throne, and to the Lamb, throughout all the ages of eternity, of long lasting eternity. This, with my earnest prayers while in the body, that the Lord would help you to mind his glory, and your own soul's eternal welfare, is all the legacy you can expect from him who is both your affectionate son and Christ's prisoner.

'P. S. I hope, ere I get home, to get another sight of you. Let none see this till I be in my grave. The Lord gave me to you freely, so I entreat you be frank in giving me to him again; and the more free this be, the less cause you shall have to repent.'

His last words on the scaffold. His last words on the scaffold were these, 'I am come here this day, and would not change my lot with the greatest in the world. I lay down my life willingly and chearfully for Christ and his cause, and I heartily forgive all mine enemies. I forgive all them who gave me my sentence, and them who were the chief cause of my taking; and I forgive * him who is behind me. I advise you who are the Lord's people to be sincere in the way of godliness, and you who know little or nothing of the power thereof, to come to him, and trust God, he will not disappoint you; I say, trust in the Lord, and he will support and strengthen whatever trouble or affliction you may meet with. I remember, when Abraham was about to sacrifice his son, Isaac said, Here is the wood and the fire, but where is the sacrifice? Now, blessed be the Lord, *here is the sacrifice and free-will-offering.* Adieu, farewell all friends.'

Henry Hall, &c. forfeited. On the same 5th of March Henry Hall of Haughhead deceased, Mr. John Menzies of Wintercleugh or Hangingshaw, — of Calderhead, — younger of Windyedge, Henry Boswell portioner of Dunfystoun, Robert Steil portioner of Stain, and John Mack portioner of Hinselwood, were indicted before the justiciary in absence,

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sence, and found guilty and forfeited, and were all, 1684.
except *Henry Hall*, ordered to be executed when apprehended. Perhaps it was peculiar to this period to try persons who had been dead for several years.

On the 13th the case of several gentlemen in *Renfrew-shire*, who had been fined most unjustly by the sheriff-depute for *church-irregularities*, came to be considered. This was the case of *James Pollock of Balgray*, *James Hamilton of Langtoun*, *Matthew Stewart* portioner of *Newtoun*, and *John Pollock of Fawside*. The council reduced the fines of the two first, and acknowledged the injustice done to the two last. I must refer the reader for the particulars to my author.

On the 19th five excellent and serious christians *Five* were executed at the *cross* of *Glasgow*, viz. John Richmond in the parish of *Gallston*, James Winning taylor in *Glasgow*, Archibald Stuart in *Lefmahago*, James Johnstoun in the parish of *Calder*, and John Main in that of *Old-Monkland*. John Richmond was apprehended last year. James Winning, being informed against last *February*, was called out of bed to appear before one of the magistrates of *Glasgow*, and, not giving satisfying answers concerning *Bothwell* and the bishop's death, was committed to prison and prosecuted with the rest.

These five persons were tried at *Glasgow*, on the 17th, before the *military justiciary*, as I may call them. Their judges were lieutenant-colonel Windram, Sir W. Fleming, Sir J. Turner, lieutenant-colonel Buchan, J. Sommerwell of Spittle, sheriff-depute of Lanerk, W. Stirling and John Jones. The prisoners were indicted for being at *Bothwell*, *reset* and *converse*. Many witnesses appeared, but none swore any thing that could touch their life, even according to the laws then in force. One witness swore that he saw *John Richmond* in arms at *Airs-moss*. The preses asked him how far distant he was from the prisoner; he answered, about half a mile: And yet this was sustained as good evidence! In short, though there was no proof against any of them, they were all condemned to be executed on the 19th. The main thing for which this unjust sentence was past, was because they were silent as to the king's authority, king CHARLES I's death, and that of the archbishop. They all died with the utmost chearfulness and comfort, adhering to the *covenants* and work
of

1684. of reformation, and testifying against all encroachments made upon the crown and dignity of the Lord Jesus.

Their
temper
and spirit.

The last testimonies of *John Main* and *John Richmond* are in the *Cloud of witnesses*. The former says, that none of the articles of his indictment could be made criminal, such as his escaping out of prison, his being at *Bothwell* only as a spectator, his conversing with *Gavin Wotherspoon*, his refusing to call *Bothwell* rebellion, his owning the COVENANTS, his not answering the questions about the king's authority, his not asserting that the death of the late king, or of the archbishop, was murder; and therefore he concludes that he and his fellow-sufferers were murdered, only for the satisfaction of men who were worse than *heathens*.

Arch.
Stuart.

Among other moving expressions *Archibald Stuart* had at his execution, he said, 'I die not by constraint; I am more willing to die, for my lovely Lord Jesus Christ and his truths, than ever I was to live; and my soul blesteth the Lord that ever he did accept of a testimony from the like of me. Scar not at the way of Christ because of sufferings. If ye knew what of his love I have got since I was honoured with imprisonment for him, and what sweet ingredients he hath put into my cup, ye would not be afraid of suffering. He hath paved the cross all over with love,

His letter
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&c.' The letter that *Archibald Stuart* wrote to an acquaintance shews the disposition of his mind, in which he says, 'Now, my loving friend, I am going to my father's house, to reap the fruits of all these waking nights that you and I had together, when none knew of it but ourselves and our heavenly father; and I die in the hope of it we shall come to your father and my father, to your God and my God, to your redeemer and my redeemer.----Now all is sure and well with me; I am brought near unto God through the blood of his son Jesus Christ; and I have no more to do, but to lay down this life of mine that he hath given me, and take up house and habitation with my lovely lord and master Jesus Christ, &c.' He concludes with many excellent advices which I have not room to insert. He was but a youth of 19 years of age. *James Winning* and *James Johnstoun* spoke much to the same purpose. The pious reader will form a judgment, from these short hints, of the spirit and temper of these suffering martyrs, who all died with a most

forgiving

forgiving spirit, praying for forgiveness to their persecutors, though, at the same time, assuring them, that, if they did not repent, their blood would be required at their hand. At the execution of these men *Gavin Black of Monkland* was seized by the soldiers and imprisoned, because he discovered some tokens of grief; and, not satisfying their inquiries, was with others banished to *Carolina*: And at their burial a relation of theirs, *James Nisbet*, was apprehended, and afterwards executed, as we shall relate in its proper place.

On the 24th of *March* the trial of *Sir Hugh Campbell* of *Cesnock* came on before the justiciary at *Edinburgh*. His indictment was read, setting forth, 'That *Sir Hugh* having, in *June 1679*. met with *Daniel Crawford* in *Galsfoun*, *Thomas Ingrham* in *Borelands*, *John Fergusson* in *Catharingill*, and several other of the rebels, at or near the bridge-end of *Galsfoun*, asked them where they had been; and, when they told him they had been with the westland army, he said, that he had seen more going to them than coming from them; and having asked them if they were to return, they told him they knew not. Whereupon he treasonably said, that he liked not runaways, and they should get help if they would bide by it; and bade them take courage, or some such like words to that purpose; wherethrough the said *Sir Hugh Campbell* is guilty of intercommuning with notour rebels, and of giving a council and advice to go back and return to the rebellious army, and thereby was guilty of the said rebellion; which being found by an assize, he ought to be punished, &c. As this was the only part of the indictment the advocate insisted upon, there is no occasion to insert the rest. He was not tried on the plot.

The debates upon the relevancy of this indictment, to infer the pains of treason, took up till the 26th. *Cesnock's* advocates offered to prove, that, on the day these persons past the bridge of *Galsfoun*, he was at his own house at *Cesnock*; that the indictment bears that the defendant only met with them by the way, and that the simple meeting of persons on the highway, which was only accidental, and the asking from whence they came, and whether they were going, cannot infer intercommuning. They farther insisted, that the words alledged to be spoken do not import council and advice

1684.

Sir Hugh Campbell of Cesnock's indictment.

Found relevant.

vice

1683. vice to go back to the rebels, and that words and expressions can never infer a crime, far less the crime of treason, unless they clearly, directly and positively inferred the crime; especially certain sentences and speeches which have been gathered up five years after they same were pretended to have been spoken in a transient way. In short, though the expressions should be constructed as treasonable, yet, as they were prior to the king's act of indemnity, the defendant cannot be now called in question for them. These, and many other things, were pleaded in behalf of the prisoner; and yet, on the 26th, the lords, by a plurality of voices, found the indictment relevant.

Witnesses examined. On the 27th the jury was called and sworn, and the advocate produced *Thomas Ingham* and *David Crawford* as evidences for the crown. Several things were objected against these witnesses, which occasioned a long debate. Among others, that they bore malice to the prisoner, and so could not be admitted, particularly *Ingham*, against whom they undertook to prove, that he said several times, that, if there was a way out of hell how to be avenged of this prisoner, for delating him as a murderer, he would be revenged; that he was forced to be an evidence in this cause, and had received money, particularly from *Hugh Wallace* factor to the deceased lord *Craigie*. And witnesses were produced, who deposed, That *Thomas Ingham* had sworn, in their hearing and presence, a great oath, *that he would be avenged upon Cefnock if there was a way out of hell to do it.* *Ingham's* father and mother swore, that they saw the above mentioned *Wallace* give him several pieces of money, though they could not tell how much; nay, *Ingham* himself acknowledged that *Wallace* gave him half a crown at one time, and ten shillings at another, though he knew not upon what design. But, notwithstanding all this, the lords ordered the witnesses to be received.

Ingram's evidence. When *Ingham* was brought in, and holding up his hand to swear, Sir *Hugh* directed himself to him, and said, 'Take heed now what you are about to do, and damn not your own soul by perjury; for, as I shall answer to God, and upon the peril of my own soul, I am here ready to declare I never saw you in the face before this process, nor spake to you.' Then he was solemnly sworn, and deposed, that, being in the house

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house of ——— *Crawford*, *Cesnock* came to the door, 1684. and, having called upon the said *Crawford*, he asked what men those were who were in his house? *Crawford* answered, they were men lately come from the *westland* army. Then *Cesnock* asked who commanded there? *Crawford* answered, one *Robert Hamilton*. As *Ingrham* was going on, one of *Cesnock*'s lawyers asked him whether he had communicated this to any other, and told him that his soul was at stake, as he was under a deep oath. *Ingrham* answered, I believe I have spoke of it to several. The justice-general asked, if *Cesnock* spoke any other words to *Crawford*. *Ingrham* answered, My lord, I am now upon my great oath, and I declare I do not remember he spoke any more at all. Upon this there was a great shout and clapping of hands in court, which so irritated the advocate, that he said, that he believed *Cesnock* had hired his friends to make this acclamation, in order to confound the king's evidence; and that he never heard of such a protestant roar, except in the trial of *Shaftsbury*; that he had always a kindness for that persuasion till now; that he was convinced in his conscience it hugs the most damnable trinkets in nature.

After silence the justice-general interrogated *Ingrham* again, who declared he had said as much as he could say upon oath; and offering a third time to question him, *Alex. Nisbet* of *Craigentinny*, one of the jury, interposed, declaring that they would only take notice of *Ingrham*'s first deposition, though he should be examined twenty times. The justice-general answered him with warmth, *Sir, you are not judges in this case*. The laird of *Drum*, another of the jury, presently replied, *Yes, my lord, we are the only competent judges as to the probation, though not of its relevancy*. Whereupon the whole jury rose, and adhered to what these had said. Silence being commanded, *Crawford*, the other witness, was called, and swore that he did not see *Cesnock* for a considerable time either before or after *Bothwell-bridge*; and that he does not remember that he spoke any thing to him, either about the *westland* army, or who commanded them. Upon this there was another shout and clapping of hands, which put the justice-general and the advocate in a terrible rage. The jury brought in their verdict *Not guilty*. Nevertheless *Cesnock* was remanded to prison, and, after some months, was sent

1684. sent along with Mr. John Rae to the Bass. He was afterwards forfeited, and his estate given to Melford. Ingham and Crawford were a long time detained prisoners, and were ordered to be examined by the committee for publick affairs. Several who were concerned in the noise, during Cefnock's trial, were obliged to beg pardon.

The earl of Lowdown, &c. declared fugitives. * p. 190. We have related how the advocate was ordered to prosecute the earl of Lowdown, &c. * Accordingly the earl on the first, and the lord Melvil on the eighth of April, petitioned the council for the competent time to appear before the justiciary. The lords postponed the process against them till November when they were called, and declared rebels and fugitives, on account of their not appearing. They were charged with contriving the death of the king and the duke, in order to subvert the government; but there was no proof of these things. The process against Sir John Cochran of Ochiltree was delayed till July; but the issue of it I know not.

Mr. W. Erskine. * Vol. I. p. 354. On the 8th of April, Mr. Will. Erskine *, having been a close prisoner for 7 years in Blackness castle and other places, was by the council's order allowed to walk round the castle, and take the air in the company of a keeper. He had been ordered to be set at liberty 1679. but why he was not is more than I can tell.

Cochran of Waterside. On the 9th John Cochran of Waterside, son to Sir John Cochran of Ochiltree, was in absence tried before the justiciary; and, because two witnesses swore that they thought they saw him with the rebels, the jury brought him in guilty, and the lords condemned him to be executed when apprehended.

James Howison. Next day James Howison, maltman in Lanerk, was indicted for being at Bothwell. The witnesses declared that he was in company with some of the westland army, but without arms. He could not avoid this, for he lived on the place; he was brought in guilty, and sentenced to be hanged at the Grass-market on the 12th of November next. Whether the sentence was executed I cannot tell.

Prisoners to be banished. On the 11th the council, considering that the prisons were full, wrote to the king for authority to send such of the prisoners to the plantations who appeared penitent, though they took not the test. This was complied with.

The

The same day they agreed to a proposal of the bishop of Edinburgh for two fasts to be observed, the one in the spring, and the other in the harvest. Had never worse things come through the prelate's hands than this, there had not been so much cause of complaint. 1684. *Two fasts.*

We have had some instances of the council's infringing on the freedom of electing magistrates in burghs; accordingly, on this 11th of April, they, finding that some of the magistrates of Ayr had encouraged the presbyterian party, and other irregularities, and that there had been differences between provost Brisbane and Robert Hunter and others, in order to stop all heats in that town, did declare, that, at Michaelmas next, they would make choice of magistrates and councillors for the ensuing year, and discharged the present magistrates from making any election at that time. *Magistrates of Ayr chosen by the council.*

On the 16th John Paton of Meadow-head, in the parish of Fenwick, commonly called captain Paton, was indicted for being with the rebels at Pentland and Bothwell. He confessed the fact; and, being asked if he owned authority, answered, that he owned all authority allowed by the word of God. He was condemned to be hanged in the Grass-market on Wednesday the 23d of April; but, being prevailed with to petition the council, he was respited to the 30th, and from that to Friday the 9th of May, when he suffered according to his sentence. Several were inclined to favour him; but he remarks in his last speech, which is in the *Cloud of witnesses*, that the prelates put an effectual stop to that. He says, 'I desire to mourn for my giving ear to the counsel of flesh and blood, — though it lays my blood the closer to their door, and I think the blood of my wife and bairns. I think their supreme magistrate is not ignorant of many of their actings; but these prelates will not be free when our God makes an inquisition for blood.' He lamented the differences among God's people, and forgave all his enemies, in these words, 'Now, as to my persecutors, I forgive all of them; instigators, reproachers, soldiers, privy-council, justiciaries, apprehenders, in what they have done to me; but what they have done in despite against the image of God's name in me, who am a poor thing without that, it is not mine to forgive them; but I wish they may seek forgiveness of him who hath it to give, and would do no more wickedness.' Then he left his wife and six small children

1684. on God, and took his farewel of all created enjoyments.

Case of
Rowal-
lan, &c.

On the 17th the council took under their consideration the case of some of the gentlemen ordered to be prosecuted in *August* last, against whom they could find no sufficient evidence; and accordingly *Rowallan* elder and younger were released upon a bond of 2000 *L. sterl.* to appear when called. *Cesnock* elder and younger, *Burnsfield* and *Crawfordland*, had the benefit of free prison; but *Mr. Carstairs*, *Mr. Spence*, and *Jerviswood*, met with peculiar hardships, as shall be related in its proper place.

Mr. W.
Spence.

Thus, on the 22d, *Mr. William Spence*, who had been secretary to the earl of *Argyll*, was allowed to be taken out of the irons, but kept close prisoner. It would seem he had been in irons since he was sent down from *England*; and no doubt he fared the worse for the sake of his master.

A strange
method of
chusing
elders.

The same day the ministers of the then establishment were empowered by proclamation to chuse whom they pleased to serve as elders, and assist them in discipline, and to give in a list of them to their ordinary for his approbation; and whoever shall refuse to serve were to be put to the horn. How far this was agreeable to scripture directory, that none should serve by constraint, but willingly, was not thought of. It was sufficient that it flowed from the *supremacy* of a gracious king, 'whose predecessors and he had always been careful that the discipline of the church be observed.'

Mr. W.
Wishart
in prison.

On the 5th of *May* *Mr. William Wishart* student in divinity, afterwards principal of the college of *Edinburgh*, presented a petition to the council, bearing, 'That, having left his studies at *Utrecht*, to come home and visit his aged and dying parents, upon some mistake he was put in prison, as being one of those who deny his majesty's authority; whereas he disowns these principles, and, as nothing is laid to his charge, craving that he may be liberate.' The council ordered him to be released, when once the advocate was satisfied as to his principles, upon bail to appear when called; but the advocate, for some time, neglected to make report, and therefore he continued a considerable time in the iron-house in no small trouble.

The

The same day the council ordered the *fugitive rolls* 1684. to be printed, in order to prevent any from harbouring those who were declared fugitives for being in the *rebellion*, or for *reset* and *converse*; but very few of them could be charged with the first. My author has printed the list of these fugitives in his appendix, No. 94. It contains no less than 1863. among whom are these following preachers, *viz.* Masters William Gilchrist, James Welsh, John Hepburn, James Guthrie, John Forrester, — Lenox, Tho. Wilkie, Tho. Vernor, Geo. Barclay, John Rae, Thomas Douglass, — Forrester, — Lamb, David Hume, and John Rae, and a considerable number of women. It is easy to observe what a state the country was in when so many were by name marked out for destruction.

The same day, on pretence that the earl of *Argyll* was concerting measures for raising an insurrection, a proclamation was published, ordering the heads of the clans to have their quotas of men in readiness, to attend the new lieutenants which were set over *Argyllshire* and *Tarbet*, whenever they should call for their assistance. This was the project of the duke of York, in order to weaken the interest of the family of *Argyll*, which was still great in these shires, and to encourage those clans, who were generally *popish*, and so the more fit for accomplishing the deep intentions of his royal highness.

George Jackson, having been kept in irons all last winter, was brought to *Edinburgh* on the 13th of *May*. Being called before a committee of the council he happened to come with his *BIBLE* in his hand; upon which the advocate scoffingly said, There's *him* and *his bible*. Come away, let us see where the text is. *George* replied, *I was never a seeker out of texts, that is the work of a minister.* Then said the advocate, Put up your bible, for we are not for preaching now. He answered, *I am not come to preach; but, Sir, that is the word of God ---- and I charge you, and not only you, but all of you, that, as ye shall answer one day before our Lord Jesus Christ, when he shall judge between the just and the unjust, that ye judge me by what is written in this holy bible, otherways, remember ye and the rest of you shall account for it in that day, when our Lord shall sit as judge, and ye stand naked and bare before him; and if ye do it not I shall be a witness against you.* They told him he was come to be judged,

1684. judged, and not to judge. After some silence he was examined upon the ordinary questions, for they had nothing else to lay to his charge but what they got from his own answers. He was returned to prison, and kept in irons till *December*, when he was executed.

Proceed-
ings of the
council.

Persons
banished.

Mean while the council, on the 17th, having considered the report of their committee concerning the prisoners referred to them, the said *George Jackson* and *George Hutchison* of *Harlaw* were remitted to the justiciary, and they delayed the case of *Mr. William Wishart*, and others, to farther consideration; and ordered eight or ten poor country people to be released, upon promising to keep their parish-church. The same day they ordered for transportation to *America*, *William Laing* in *Hawick*, *James White* in *Douglas*, *John Harper* in *Fenwick*, *Gavin Muirhead* in *Camnethan*, *John Gairdner* in *Monkland*, *David Jamison* a sweet-finger, and *James Balfour* in *Fife*. Their pretended crimes were rebellion and harbouring of rebels. After the managers had agreed with *Walter Gibson* merchant in *Glasgow*, for the transportation of these and other prisoners, there was a strange act of grace made on the 27th, by which such of the rebels as were penitent were ordered to be transported. The tender mercies of the wicked are cruel!

Hardships
of the pa-
rish of
Dalmel-
lingtoun.

While these severities were used to the prisoners, the country was oppressed by the soldiers. As two of them were levying the cess in the parish of *Dalmel-lingtoun*, and were endeavouring to apprehend two of the wanderers, they were slightly wounded. Whereupon *Dundas* with his men came upon that village, and particularly seized on the goods of one *Andrew Mitchel* who was noways concerned in the scuffle. The lieutenant called before him a great many, who, he pretended, had conversed with the outlawed wanderers; 15 of whom were sent prisoners to *Edinburgh*, because they refused to swear they had not conversed with these people, and, after 17 days confinement, were fined in 15,000 merks, besides 500 to the wounded soldiers. *James Gibson* of *Erris* was forced to pay the whole sum.

James
Nisbet
executed.

On the 5th of *June* *James Nisbet* was executed at the *Howgate-head* near *Glasgow*. He, having been intimate with *John Richmond* and some of his fellow-sufferers, came to *Glasgow* to pay his last respects at their

their burial, and, being known, was apprehended by his own cousin lieutenant *Nisbet*, [a persecuting spirit dissolves all the bonds of natural affection] and carried directly to the guard, where he was soon ensnared by their *persecuting catechism*, if I may use the expression. It would seem he was tried by the military commissioners for justiciary there. He was so closely watched, that he could scarcely get any thing wrote.

His last testimony is in the *Cloud of witnesses*, and begins with these words, 'Now I am brought hither this day to lay down my life for the testimony of JESUS CHRIST, and for asserting him to be Head and KING in his own house, and for no matter of fact they have against me.——Although the most part of the men of this generation is counting it death to call him so, yet I, as a dying man, live and die in the faith of it, that he shall appear to their confusion, and for his own glory now trampled upon and lying so low.'——It is easy to see in what spirit and with what frame he and others changed worlds, which will be an indelible reproach on the cruel persecutors of that time.

The managers were after this informed of a field-meeting at *Blackloch*, where 100 were assembled in arms, and had been pursued, without effect, by colonel *Windram* and his party; and therefore the committee, on the 12th of June, ordered general *Dalziel* to examine *Gavin Lowrie* in *Redmire*, *James Stuart* of *Hartwood*, and *James Walker* of *Rosehall*, for not pursuing and giving timely notice of these men. On the 13th the advocate was enjoined to prosecute the heritors upon whose lands the rebels were seen. Sir *William Paterfon* was likewise sent to assist at these examinations, and to acquaint the commissioners at *Glasgow*, that their remissness in proceeding against the rebels, and other disorderly persons there, gave offence, and to enjoin them to be more diligent, and forthwith to punish those, according to law, against whom the proof was clear, or who confessed their being in the rebellion, and continued obstinate in their rebellious principles; and to transport to the plantations those against whom there was not sufficient evidence, and who would not confess their being accessory to the rebellion, unless they formally renounced the covenant, and took the oath of allegiance, &c.

Sir

1684. Sir William returned; and, on the 19th, the council finding, from his report, that most of the heritors in the parishes of *Shotts, Camnethan* and *Monkland* had been guilty in not informing against those who were seen in arms, ordered them to be summoned to appear before them on the first of *July* next, together with the sheriffs of *Stirling, Linlithgow* and *Lanerk*, William Stuart of *Allantoun*, James Stuart of *Hartwood*, William Cochran of *Ochiltree* younger, Walker of *Hacketburn*, and Mr. William Violant indulged minister at *Camnethan*, because these rebels had passed by his house in arms, and he did not inform any magistrate or officer of it.

Remarks. This looked as if all the country had been up, tho' it is well known that those people were drove to the necessity of meeting in arms, if they met at all, in order to defend themselves against their persecutors; otherways they never injured any, but met peaceably for the worship of God, and dismissed to their lurking places to conceal themselves the best way they could: But why so many gentlemen should be brought to all this trouble, for what was not in their power to help, must be left with the reader.

James Hasty. But, to leave this for a little, I find, on the 13th of this month, *James Hasty* of *Harlaw*, in the parish of *Carstairs*, was obliged to give *Meldrum* a bond of 200 merks for the great crime of *non-conformity*. Many were the losses this person sustained, by the quartering of soldiers, fines, imprisonments, &c. which I have not room here to mention.

Persons banished. On the 19th Sir William Paterson reported, that 22 were ordered for transportation from *Glasgow*, and to be sent along with *Gibson*; and the same day the council passed sentence of transportation against James MacGachin in *Dalry*, John Crichtoun in *Kirkpatrick*, John Mathison in *Cloosburn*, and John MacChitholm in *Spittle*; and, in *August*, 15 more were ordered the same way. All this was for *reset* and *converse*. One John Dick was, in this month of *June*, banished to *Carolina*. At his examination he owned the lawfulness of defensive arms when people are oppressed for adhering to their principles; and, being closely interrogated as to praying for the king, he said, 'I can, as he hath a soul, and hath not sinned the unpardonable sin; but,

'to pray for him as he is king, and for the prosperity
'of his courses, I cannot do it.'

There was a joint testimony against *popery, prelacy,* *A joint testimony.*
&c. and for the covenants and works of reformation,
signed by the following persons before they were ship-
ped off, viz. James MacLintosh, John Buchanan, Wil.
Inglis, Ga. Black, Ad. Allan, John Galt, Tho. Ma-
rishal, Will. Smith, Ro. Urie, Th. Brice, John Syme,
Hugh Syme, W. Syme, Jo. Alexander, Jo. Marishal,
Mat. Machan, John Paton, John Gibson, John Young,
Arth. Cunningham, Geo. Smith and John Duart.

About 32 of these transports were put aboard *Gib-* *Their*
son's ship about the beginning of July, and suffered great *treatment*
hardships, during their passage, through the cruelty of *aboard,*
the captain and sailors. What money was given them
by their friends was taken from them. They were dis-
turbed when at worship under deck; and, whenever
they began to sing psalms, they were threatned, and the
hatches closed upon them. They had their bread by
weight, and their water by measure; and no difference
was made between the sick and the healthy.

When they landed at *Carolina* they were put into *and after*
houses under a guard. What things their friends gave *they land-*
them to be sold to the best advantage, to be distributed *ed.*
among them, were otherways disposed of. *John Dick,*
formerly mentioned, though he paid all his freight ex-
cept 30 shillings, for which he offered security, was,
contrary to agreement, forced up the country as the
captain's servant, where he died. *John Smith* and
John Paton, being discovered attempting to escape, were
beat eight times every day, and condemned to perpetu-
al slavery.

When they were lying ready to sail from *Clyde,* *Case of*
Elisabeth
Linning.
Linning.
When they were lying ready to sail from *Clyde,* *Elisabeth*
Linning came to visit some of them who were her
acquaintance, and was, by the captain's order, car-
ried along with them, though nothing could be laid to
her charge. When they got to *Carolina,* perceiving the
captain intended to sell her for a slave, she took a pro-
per opportunity and escaped, and made her case known
to the governor, who treated her civilly, and ordered
the captain to be summoned before him the next court-
day, when the captain's villany was discovered, and the
innocent girl released, and declared a free woman.
Scarce six of those prisoners ever returned to *Scotland,*
the

1684. the most of them dying in *Carolina*. But to return to the transactions at home.

Stuart of Allan- On the 1st of July the council fined *Hackwoodburn*, *Allantoun* and *Hartwood*, according to the proclamation, &c. on *, and next day ordered the two last to be released, upon engaging to satisfy the cash-keeper as to their fines. What *Hackwoodburn's* fine was I know not ;

* P. 146. but *Stuart of Allantoun* was fined in 3000 merks, and *Stuart of Hartwood* in 1500. Nothing could be laid to their charge, but because some came from the above meeting in arms, through the parish where they lived, in their way home. *Allantoun* was looking out at the window by accident, and saw them ; and *Hartwood* met them as he was coming from church at *Camnethan*. It was not so much as pretended that they conversed with any of them, or gave them any supply ; but, because they did not raise the country to seize them on the Lord's day, this was the way they were served.

Perth
made
chancellor.

On the 15th of July the earl of *Perth* was made chancellor in the room of lord *Aberdeen*, and *Linlithgow* made justice-general ; and, the better to suppress non-conformity, a new commission came down from the king to the council. None of the former members were left out, only some new ones were put in. His majesty expressed his hopes that they would go on firmly and faithfully in his service, by doing justice to his people, by putting the laws vigorously in execution against the *fanatics*, those enemies not only of his person and government, but likewise of all religion and society. There is no occasion to make any remarks upon this, nor to insert the council's fulsome letter. It is easy to guess at the strain of it.

Commit-
tee for pu-
blicit af-
fairs.

The council, in order to prosecute the king's designs, appointed the same day a new committee for publick affairs, consisting of the archbishops of *St. Andrews* and *Glasgow*, the earls of *Linlithgow*, *Balcarras* and *Tweeddale*, the lords *Drumlanerk* and *Livingstone*, the lairds of *Drumelzier* and *Claverhouse*, or any three of them. This new appointed council went on in persecuting heritors, and others, for not raising the *Hue and cry*, and in thirsting after the blood of those who could not prostitute their consciences to a compliance with their wicked impositions.

Orders to
Sir W.
Murray,
&c.

On the 16th this new committee wrote to Sir *William Murray of Stanhope*, and others, on account of some conven-

conventicles they were informed of, complaining that 1684. the gentlemen had not given notice of them according to the proclamation, which they now ordered to be reprinted; and therefore enjoined them to search for and apprehend the preachers and hearers. And next day the council empowered the sheriff-depute of Ayr, and captain *Inglis*, to call before them, and examine upon oath, those who could give him the best information of the heritors through whose lands they who came to or went from these conventicles were seen, and send an account to the council. The persons thus the butt of their malice were the followers of Mr. *Renwick*, of whom we have heard.

On the same 17th of July the council had before them the laird of *Dundas*, because the people, as they came from the meeting at *Blackloch*, had gone through the bounds of his estate, and he had not raised the *Hue and cry*. *Dundas* urged he was not at home for several days after that, and knew nothing of the matter for some time. But this defence was overruled, though, the same very day, the earl of *Tweeddale* was accused of the same crime, and made the same defence, which they sustained as good; for, says my author, it was now, *Shew me the man, and I will shew you the law*.

The same day Mr. *Violant*, indulgent minister at *Cam-* Mr. W. *nethan*, because he did not raise the *Hue and cry*, on the Lord's day, when the people passed his house from the said meeting at *Blackloch*, had his indulgence taken from him, and was ordered to find bail to depart the kingdom, or, in case he did not chuse that, to give security not to exercise any part of his ministry under the penalty of 5000 merks. Some days after this, when he appeared before them, he told them, that he did not think a minister was obliged to be an informer, and owned that he had preached without his parish-church, and baptized children belonging to other parishes, and was obliged to answer to his master Christ, from whom he had his instructions. He was ordered to prison till he should find bail, as above related.

On the 22d, according to my author, one *Patrick Walker*, a boy about 18 years of age, was before the council, and confessed that he was present at the murder of *Francis Garden*, one of the earl of *Airly's* troop, and refused to discover his accomplices, and was ordered to be examined by torture next day, when he was

1684. appointed to be banished. But *Patrick Walker's* own account, which he has published at the end of some remarkable passages of messrs. *Semple, Welwood and Cameron*, observes, that it was seldom the clerks wrote as the prisoners spoke. And, as *Mr. Wodrow* takes his authority from the council-records, I shall therefore give the substance of *Mr. Walker's* own relation.

His own
account,
p. 163.
&c.

He was taken out of his bed, with other four, on the 29th of *June*, and brought out of *Linlithgow thieves-hole* on the first of *July*, next day examined before the council; and that night, he, *James Edward* and *John Gardner* received their indictment for 'owning the covenants, defensive arms, &c. On the third they received sentence of transportation, which was pronounced by the archbishop of *St. Andrews* president, who, says he, within a month after, got his sentence elsewhere. He was again examined on the 22d; and on the 23d there was a strong debate among the councillors, whether they should prosecute him for his life, or examine him by torture; but none of them took place; for some urged, that, since nothing new was either confessed or proved, and as he was under sentence, they could proceed no farther. However, they renewed their foresaid sentence. He lay in irons from that to the first of *August*, when he was put aboard a vessel; but with 13 other prisoners he was brought back on the 6th with a design on his life; which was prevented. However, he continued in prison till the 18th of *May* 1685. when, with many others, he was sent to *Dunnoter*, and brought back to *Leith* on the 18th of *August*, and made his escape out of prison. He says, that, during the 14 months he was among their hands, he was 18 times examined, and only thrice about that man's death, which happened as follows.

Francis
Gordon
killed.

In *March* 1682. *Francis Gordon* (for so he calls him) happened to pursue and overtake *James Wilson, Thomas Young*, and *Patrick Walker*, about four miles from *Lanerk*. *Thomas Young* asked him why he pursued them. *Gordon* replied, he was come to send them to hell. *James Wilson* told him they would defend themselves. Upon which *Gordon* run his sword through *Wilson's* coat, who immediately fired upon him, but missed him; then another of them shot him with a pocket-pistol. By this time *William Caigow* and *Robert Muir*, two of the wanderers, came up with them. They searched him for papers,

pers, and found a scroll of names, which were designed 1684.
either to be killed or taken. *P. Walker* tore it in pieces. Every thing else about him they put into his pockets and left him; so that what they acted was in their own defence, and none of them was ever questioned for this but *Patrick Walker*. *Thomas Young* afterwards suffered at *Mauchlin*, but was never challenged for this. *Robert Muir* was banished. *James Wilson* survived the persecution. *William Caigow* died in the *Canongate* prison in the beginning of 1685: so that, says *P. Walker*, Mr. *Wodrow* was misinformed in saying that he suffered unto death.

On the said 22d of July the council emitted another proclamation for apprehending the rebels, signifying, that whoever did not exert themselves, to the utmost, in apprehending them, other effectual courses would be taken for preventing rebellions, and securing the publick peace. Though one might think that many methods had already been used to prevent the poor wanderers from meeting for the exercise of divine worship, yet we shall find that other inventions of cruelty were still designed, and very soon put in execution.

Accordingly, the very next day, the following act of council was made: 'Whereas the boots were the ordinary way to expiscate matters relating to the government, and that there is now a new invention and engine, called the *Thumbkins*, which will be very effectual to the purpose and intent foresaid, the lords of his majesty's privy council do therefore ordain, that, when any person shall, by their order, be put to the torture, the said boots and thumbkins BOTH be applied to them, as it shall be found fit and convenient.' Thus they soon fell upon another method; but before the end of this year we shall find something still more dreadful.

The same day they fined *John Brisbane* of *Freeland* J. Brisbane in the sum of 500 L. sterling for conventicles and non-conformity, and ordered him to ly in prison till he paid the two thirds of it, and out of their great goodness superseded the other third till they should see his future conduct.

On the 24th the act about thumbkins was first executed on *Arthur Tacket* a taylor in *Hamiltoun*, who had been apprehended as he came from hearing Mr. *Renwick*, in order to force him to tell who preached. The advocate told him, that, if he would be ingenuous and free in answering

Proclamation
for apprehending the rebels.

Act about thumbkins.

Arthur Tacket executed.

1684. answering the questions, nothing he said should militate against him or any other. He answered, That he could not believe them, since they had broken their oaths, subscriptions and promises to God and man, and that he could not think they would press him so much to declare who preached, if they did not intend to make use of what he said. The boots were designed for him, but a surgeon telling them, that, his leg being small, they would crush it to pieces, he was therefore tortured by the thumbkins. As he had been ordered for execution the 21st of March 1681. so the lords of justiciary condemned him to be hanged at the Grass-market on the 30th of this July, which was executed accordingly. In the Cloud of witnesses he is said to have suffered on the first of August. He died with great cheerfulness, forgiving his persecutors, and adhering to the covenants and work of reformation, and owning all magistrates, superior and inferior, as they are agreeable to the word of God and the covenants, and as they are a terror to evil doers, and a praise to them that do well. My author justly questions whether ever such numbers were executed for such a rising as Bothwell, especially so many years afterwards.

William
Spence
tortured.

Kept
from
sleep.

On the said 24th of July Mr. William Spence was, according to an act of council, put to the torture of the boots, which he endured with a great deal of patience, discovering nothing which could give satisfaction to his inquisitors. But, though it be allowed that torture is the last trial that ought to be made in the most extraordinary cases, and so ought not to be repeated, far less succeeded by any thing more inhuman and barbarous, yet such was the injustice and cruelty of the councillors, that, on the 26th, they made an act, ordering general Dalziel to receive Mr. William Spence from the magistrates of Edinburgh, and to appoint a sufficient number of officers and soldiers to watch him by turns; and not suffer him to sleep night nor day, but use every method necessary for keeping him awake, and, in the mean time, to take down in writing every thing he shall say in relation to the plot. Bishop Burnet says he was kept from sleep eight or nine nights. This was a method of cruelty, that, I believe, was never invented before. To keep a man from sleep, night and day, was enough to deprive him of his senses. But I leave the reader to make his own reflexions.

Some

Some time in July, as *Lewis Lawder*, a subaltern officer belonging to the garrison of *Sorn*, was with a party searching the country for the wanderers, they met with *William Shirinlaw*, a youth of about 18 years of age, at the *Woodhead* of *Tarbolton* in the shire of *Ayr*, and, after a few ordinary questions, *Lawder* commanded him to be shot directly. Then the party went to the *Stairhead*, a place where *William* had been servant, and seized *Paul Lawmont*, *Matthew Bell* and *Boswel*, carried them to the adjacent fields, and ordered them to kneel and cover their faces, in order to be shot likewise; but providence interposed, *Lawder's* men positively refusing to obey the orders, saying, *One in a day was sufficient*.

1684.

William Shirinlaw murdered in the fields.

About this time, as a guard of 28 soldiers were carrying nine prisoners towards *Edinburgh*, some of their wandering friends took up a resolution to rescue them, and for this end posted themselves in the narrow path of *Enterkin*, between *Dumfries* and *Edinburgh*. When the prisoners came up, two and two tied together on horseback, the countrymen demanded them to be released, but were answered by a volley of shot, which they returned, put the guard to flight, killed one, wounded several more, released seven of the prisoners, and took them along with them. Though the laird of *Locheat*, a gentleman of a small estate, who had been both at *Pentland* and *Bothwell*, was among those who were released, yet, some way or another, he fell in among the soldiers, and was greatly wounded and cruelly used; but the rescuers coming up the soldiers retired, and he was sent to a country house in the neighbourhood, where friends took care of him as privately as possible.

Rescue at Enterkin-path.

The soldiers carried *John MacKechney*, a pious good man, one of the prisoners, with them to *Edinburgh*, where he died, after enduring 13 weeks great pain from a wound he received in his arm. When they got there, and gave an account of what happened, a strict search was ordered to be made through *Nithsdale* for the rescuers. All persons above 15 years of age, in ten or twelve parishes round *Enterkin*, were ordered to be examined upon oath. This was intimated from the pulpits about the space of six weeks running. Many were imprisoned, and more were oppressed, who knew nothing of the matter. The laird of *Locheat* was again apprehended, and, notwithstanding his wounds, was sent

Consequences of it.

1684. sent prisoner, first to *Dumfries*, and then to *Edinburgh*, where he lay till his patience tired out his persecutors; so that he was released without any sinful compliances.

Oppres-
sive
courts.

Courts were also held by some of the forementioned commissioners. The laird of *Lag* was singularly diligent, and held a court in the church of *Carsphairn*, assisted by Mr. *Peter Peirson* the curate. The soldiers grew still more and more insolent. Though one *George Lorimer*, a youth, was sent prisoner to *Dumfries*, because he would not drink the king's health, yet he happily made his escape. But I must pass these things.

About the end of this month and beginning of *August*, at several meetings of the judiciary, near 200, mostly country people, had their processes dropt.

Lord Neil
Campbel
confined.

On the first of *August* lord *Neil Campbel* was ordered to be confined to the town of *Edinburgh*, and six miles round it, under the penalty of 5000 *L. sterl.* and to appear before the council in the space of six hours after summons. Nothing worthy of death, or of bonds, could be alledged against him, unless it was a crime to be the brother of the earl of *Argyll*.

Officers of
the army
empower-
ed to exa-
mine the
country.

According to what was threatned in the proclamation, other methods of oppression were appointed; for, on this day, the council, 'considering that several desperate rebels do daily break out in arms, in multitudes, at their seditious field-conventicles, and lay ambuscades for his majesty's forces, and kill some of them,' [*this refers to the rescue at Enterkin-path*] ordered the forces to be so disposed of as to be the better able to apprehend them; and accordingly more of them were cantoned through the shire of *Ayr* than in all the country besides. They likewise empowered *Claverhouse* and colonel *Buchan*, or any deputed by them, 'to call for, and examine upon oath, all such persons as can give any information in the premises;' so that the officers in the army, or their very substitutes, were put in the place of the magistrates, and had power to examine the country at their pleasure.

Prisoners
ordered to
be execut-
ed a few
hours af-
ter sen-
tence.

The same day they made a most barbarous act, ordering the prisons of *Edinburgh* and the *Canongate* to be visited, and recommending to the justices to prosecute and pronounce sentence of death on those who shall be found to have been in the late rebellion, or were guilty of *reset* of rebels, and to order the sentence to be executed in six hours after passing of it; and the commis-

sioners

sioners at *Glasgow* and *Dumfries* to act in the same 1684.
manner with the guilty prisoners there, only they
were to execute the sentence in *three hours* after it
was pronounced. Thus they fell upon *methods* with a
witness. I question whether such an act is to be met
with any where but from the council of *Scotland* at
this time, by which people were in a manner hurried
into eternity.

On the fifth of *August* several who were unjustly
imprisoned were released. Had they set all at liberty
who were truly so, the blood of many innocents would
not have been in their skirts.

While *Claverhouse*, with a party, was searching the
parishes after the affair of *Enterkin*, they surprised
Thomas Harkness in *Lockerbane*, *Andrew Clark* in *Lead-*
hills in *Crawford*, *Samuel MacEwen* in *Glenosairn*, and
Thomas Wood in *Kirkmichael*, while asleep in the fields,
in the parish of *Glosburn* or *Dalgerno*. When the men
were awake, and saw them, they endeavoured to make
their escape; but the soldiers pursued, fired, and wound-
ed them. All the houses about the place where they
were taken were plundered; and such was the cruelty
used to the prisoners, that they would not suffer their
wounds to be dressed, but carried a poor woman pri-
soner along with them some part of the way for offer-
ing her assistance. When they came to a narrow pass,
Claverhouse ordered his men to kill the prisoners, if any
should attempt to rescue them, though they had nothing
to lay to their charge. When they were brought before
the council three of the soldiers falsely swore that these
men were at *Enterkin-path*, and were wounded there,
which they absolutely refused. *Thomas Wood* was re-
served till afterwards; but the other three were refer-
red to the judiciary on this fifth of *August*, condemned
and executed the same day. They drew up a short joint
testimony, which is in the *Cloud of witnesses*, and is in-
serted in my author; in which they say, among other
things, ' We were questioned for not owning the king's
' authority. We answered, That we owned all au-
' thority that is allowed by the written word of God
' and sealed by Christ's blood. — We bless the Lord
' we are not a whit discouraged, but content to lay
' down our lives with cheerfulness, and boldness, and
' courage; and, if we had an hundred lives, we would
' willingly quit with them all for the truth of Christ.

' Good

Thomas
Hark-
ness, &c.
condemned
and exe-
cuted the
same day.

Edit. 4.
p. 303,
&c.

1684. ' Good news! Christ is no worse than he promised, *— Him that overcometh will he make a pillar in his temple.* Our time is short, and we have little to spare, having got our sentence at one o'clock in the afternoon, and are to die at five this day. And so we will say no more, but, Farewel all friends and relations, and welcome heaven, and Christ, and the cross for Christ's sake.' *Samuel MacEwen* wrote a short letter to a friend on this occasion, shewing with what gladness he laid down his life, and the assurance he had of a glorious eternity. — These were the persons marked out for destruction by the bloody judges of this period, who not only thirsted for blood, but made haste to shed it.

James Nicol merchant in *Peebles*, being present at this execution, was constrained, in the bitterness of his spirit, to say, in the hearing of many, *These kine of Bashan have pushed these three good men to death at one push, contrary to their own base laws, in a most inhuman manner.* Whereupon he was immediately seized, and carried to prison, to fill up the next scene of blood.

Robert Goodwin. Mean while, on the sixth of *August*, *Robert Goodwin* malster in *Glasgow* was sentenced to be banished, because he would not own the king's supremacy, nor promise to attend on ordinances under the bishops, &c. The reader may think he was well off, as things went. However, he was with others sent to *Dunnoter*, and afterwards made his escape.

Fines exorbitant. The fines imposed at this time were most exorbitant: For it appears, from an extract dated the 11th of *August*, that the fines imposed on the heritors of the shire of *Roxburgh*, for not keeping the church, amounted to no less than 274,737 *l. Scots*, or 22,894 *l. 15 s. sterling*. I shall not pretend to give particular accounts of the prodigious fines in other places. From this one instance we may form a judgment of the great oppression of the country from this branch of persecution.

William Spence's declaration. On the 17th they made a third act for the torture of *Mr. William Spence*, in order to force him to petition to be allowed to make a free and open confession, which he did. *Bishop Burnet* seems to intimate that he was tortured with the *shumbkins*, and that, in that extremity, he capitulated that no new questions should be put to him but those already agreed on; and that he should

should not be obliged to be a witness against any person; and that he himself should be pardoned. And accordingly, two days after, he declared, upon oath, 'That he believed an insurrection was intended within these two years: As to what is to come, he cannot tell what the people abroad may be a-doing; that he often heard of designs and associations; but, that they were directly intended to hinder the Duke's succession to the crown, he cannot say; for all that he understood was pretended for the ground of any designs of arms, was the defence of the protestant religion, and the liberties of the kingdom; and, if against the duke's succession, it was only in so far as that might be prejudicial to these; and that he thinks, upon the king's death, troubles may arise.' The council, two days after this, declared that what he had said should not be prejudicial to any. Mr. Spence was likewise prevailed on to decypher the earl of Argyll's letter, in which Mr. Carstairs's name was expressed; but, says bishop Burnet, *none of these letters spoke any thing of any agreement then made.* However, this turned out to the prejudice of Mr. Carstairs.

On the 18th Mr. Robert Baily of Jerviswood, who had been long in prison, and being now in a declining state of health, his lady was permitted to visit him with the physicians; but she was to speak nothing to him but what they heard.

The same day James Nicol, according to the Cloud J. Nicol's of witnesses, was examined by the council, and was bold and courageous in his answers. Concerning praying for the king, he said, 'If he belongs to the election of grace, he has a part of my prayers; and also, if he were a king that had kept covenant with God, I would give him a double share, and make mention of his name; but he is an apostate.' When they asked him how he proved from scripture what he said against the prelates, he told them, 'By many scriptures. The kings of the Gentiles exercise lordship over them, and they that exercise authority upon them are called benefactors; but it shall not be so among you, but he that is greatest among you shall be servant of all: Not like your glutton, epicurean, belly-god prelates, who are riding in coaches in great pomp.' Upon this he was interrupted. He says, that concerning the tyrant, for I use his own words, he added, 'That he was brought

1684. 'home by Mr. Livingstone, and others,' (*Vol. I. p. 35.*)
 and put in a nobler state than any king in the whole
 world, crowned a *covenanted* king with the eternal
 God, to be for him, to carry on his work and cause,
 he and all the people; which, if he had continued
 in, he would have been the greatest king in all lands
 and nations in the world, and would have been a
 terror to all the kings in *Europe*; but now he hath
 made himself base, and a reproach to all the nations.
 And another reason why I dare not own him, nor
 you either, is, because he and you have robbed Christ
 of his crown, although it be not in your power to do
 it. Then he was sent to the iron-house and loaded
 with irons. Next day he was brought again before
 them, and re-examined upon the same points, which
 I shall therefore omit. We shall find him in a few
 days before the justiciary.

An
 against
 owning
 the king's
 authority
 according
 to the co-
 venants.

Mean while, on the 18th of *August*, the council made
 an act empowering the advocate to prosecute criminal-
 ly those who owned the king's authority according to
 the *covenant*. By this the council did more than ever
 the parliament had yet ventured to do; and thus the
 owning the COVENANTS, the glory of the nation,
 was made treasonable: But it was not improper, when
 a *papist* was near ascending the throne, that the chief
 bulwarks of the reformation should be removed.

J. Forbes
 of Lesly
 fined.

We have frequently related what exorbitant fines
 were imposed for *non-conformity*. *John Forbes* of *Lesly*,
 in *Aberdeen-shire*, had been fined in 2320 *l. Scots* by the
 laird of *Kinmundie* for not keeping the church; and,
 on this 19th of *August*, he gave in a petition to the
 council, setting forth, that his not attending the church
 was only because the incumbent, Mr. *Mowat*, was placed
 without his approbation, he being patron, and that he
 attended ordinances elsewhere: And indeed Mr. *Forbes*
 was no *Whig*; and therefore the council suspended the
 letters. But though *Alexander Nairn* of *Santford* in
Fife, and the lady *Abden*, had been more exorbitantly
 fined, yet they had no redress. The council seldom
 met after this, but they had complaints of exorbitant
 fines by sheriffs and such as had council-power. It
 would be endless to give particulars.

Several
 ordered to
 be prose-
 cuted. The same day, in consequence of a report from a
 committee appointed to examine the state of the pri-
 soners in the prisons of *Edinburgh* and the *Canongate*,
 which

which were crouded, twenty of them, who were mean country-people, were ordered to be released, upon obliging themselves to keep the church and live regularly: But *Robert Tam* and *Gabriel Thomson* in *Carmunock*, *William Campbell* at *Muirkirk*, *John Ure* maulster in *Glasgow*, *John MacLevy* shoemaker in *Kilmarnock*, and *William Young* taylor in *Evandale*, were appointed to be prosecuted before the justiciary according to law; as likeways *James Nicol*, formerly mentioned, for disowning the king; and *John Campbell* tenant in *Muirkirk*, and *John Campbell* son to *William Campbell* of *Overwelwood*, to be pursued before the council in order to banishment.

1684

The gentleman last mentioned; being scarce 18 years of age, and his elder brother *William* about 20, had an uncommon share of sufferings at this time. When they were living peaceably at the house of their excellent father, about the beginning of this month, they were seized by a party commanded by *Bonsbaw*, when walking in the fields on *Welwood-hill*, and carried to the house of the *Welwood*, where they were kept till their father's house was rifled, and three of his riding horses taken away. *Bonsbaw* swore at the soldiers, because they did not shoot them directly; for he was in a rage, that two BIBLES should be found about them, which was looked upon as a certain mark of disloyalty.

Sufferings of Campbell of Overwelwood.

After some removes they were carried on the sabbath following to the prison at *Glasgow*, and laid in irons till next day, when they were examined on the ordinary questions, first by lord *Ross*, and then by lieutenant-colonel *Windram*, who, among other things, asked *John Campbell* if he would pray for the king. He answered, That he both did and would, that the Lord would give him a godly life here, and a life of glory hereafter. *Windram* said, That is not enough; you must pray for king CHARLES II. as he is SUPREME over all persons and causes, ecclesiastick as well as civil. The other said, In his opinion that was praying for him as head of the church, which belonged only to Christ; and he reckoned it arrogance in any creature whatsoever to claim it.

Their examination.

They were kept in irons 8 days, and were then carried to *Edinburgh*, with their legs tyed under their horse's belly, and put in the *Canongate* prison, from whence they

1684. they were brought several times before the committees of the council and examined. Once *John* was asked if he had been at *Bothwell*. He answered, No; for he was only put to the grammar-school the *Martinmas* after it. The clerk wrote, 'As to *Bothwell*, the prisoner answers, I was but young then; but, had I been old enough, I would have been there.' When this was read to him, in order to subscribe it, he told them that the clerk was unjust, and wrote a lie, and appealed to the lords present; but the matter was hushed. They used all arts to get him to comply, and, among other things, told him that his brother had complied, and satisfied the council. This was worse than the clerk's conduct; for it was a lie spoken in judgment. Mr. *John* stood his ground notwithstanding; but was so grieved at his brother's supposed conduct, who had been carried to the prison of *Edinburgh*, that he wrote an unsubscribed letter, which he sent by one *Margaret Aird*, who was seized at the door of the prison, and carried along with Mr. *William Campbell* before the council, and strictly examined concerning the writer of the letter. She was tortured by the thumbkins, and he threatened with the boots; but nothing could prevail. Next they ordered a committee to examine the prisoners in the *Canongate* prison on this point, particularly *John Campbell* of *Overwelwood*, and his cousin of the same name, who were removed from the room they were in to the iron-house. They were not long there, for, on the 21st of *August*, they found means, with 11 others, to break prison and make their escape. One *William Young* was retaken, and suffered, and another was wounded.

The two cousins met, the night after their escape, on the hill of *Tintock*, and from thence went to *Ayrshire*, where they were joined by *John Campbell's* father, and *William Campbell* of *Middlewood*, and spent that winter and part of the following year in the fields, as privately as they could. It is easy to conceive the hardships they underwent, in being exposed to all manner of weathers: But this was the case of many hundreds besides, who were forced to wander about in dens and caves of the earth. *William Campbell* died of a consumption, contracted by the severities he met with in prison at *Edinburgh*. His father and brother survived the persecution, and the latter was made a captain of horse

horse by king WILLIAM, to whom he did singular service in many parts of the kingdom. But I must return to the history. 1684.

The day after the prisoners escape the magistrates of Edinburgh were enjoined to take more care of the prisoners for the future, else they alone should be accountable for any that should afterwards escape. This day James Nicol got his indictment, and was told that he was to be condemned and executed on the 27th.

On the 25th Dr. James Welwood, famous for his curious memoirs and other writings, was ordered to be sent to Cowpar, to satisfy the sheriff for his non-conformity. Dr. J. Welwood.

Next day the council had a petition presented by one Robert Aitken, and about 22 men and women who were most unjustly fined by Kennoway, and ordered a stop to be put to the execution of the letters raised against them on that account. Matters must have been wrong when the council interposed. Petition of R. Aitken.

The same day they ordered a party to bring in Pat. Lang malster in Greenock, James Holm, Will. Baird, Will. Andrew, James Warden, William Scot, Marion Muir, — Linning, Geo. Muir, and other prisoners, to Edinburgh, for being at a field-meeting held by Mr. James Renwick, where a child was baptized.

On the 27th James Nicol and William Young were brought before the justiciary, condemned in the forenoon, and executed in the afternoon. There was no other proof against any of them but their confession, which was extorted by the ordinary questions which they answered. J. Nicol and W. Young executed.

James Nicol died in much peace and comfort, protesting that he expected salvation, not by any merit, but of free grace, saying, 'I have been beginning to pray and praise these thirty-six years, weakly as I could, but yet I am just to begin this night both to praise and pray; for I lay no more stress upon all that I have said and done, believed and suffered, nor on a straw, God is my witness; so that I must have salvation upon Wednesday at three or four o'clock, as free as the thief on the cross. And what can poor silly James Nicol say more?'

William Young had, for some years before he was apprehended, been out of his right mind. He was one of those who escaped out of prison, and would not have been known had he not himself told the soldiers that

1684. that he had broke the tolbooth. He was most barbarously used when recommitted, but he bore all his suffering with patience, saying, *that extreme pain would be intolerable if eternal, but he was now near the crown, and rejoiced in the full assurance of it.*

Mr.
Baily of
Jervis-
wood
fined,
p. 585.

On the 30th Mr. *Baily of Jerviswood* was ordered to be prosecuted for entertaining and corresponding with rebels; and on the fourth of *September*, because he refused to answer upon oath the questions put to him, was fined in the sum of 6000 *L. sterling*. Bishop *Burnet* tells us, that 'the ministers of state were most earnestly set on *Baily's* destruction, though he was now in so languishing a state — that if his death would have satisfied the malice of the court, that seemed to be very near. — An accusation was sent him, not in the form of an indictment, nor grounded on any law, but on a letter of the king's, in which he charged him, not only for a conspiracy to raise a rebellion, but for being engaged in the *Rye-plot*; of all which he was now required to purge himself by oath, otherways the council would find him guilty of it, and proceed accordingly.

p. 586.

He was not, as they said, now in a criminal court, but before the council, who did only fine and imprison. It was to no purpose for him to say, that by no law, unless it was in a court of *inquisition*, a man could be required to swear against himself, the temptation of perjury being so strong when self-preservation was in the case: — But, to answer all this, it was pretended he was not now on his life, and that whatsoever he confessed was not to be made use of against his life, as if the ruin of his family, which consisted of nine children, and perpetual imprisonment, were not more terrible, especially to one so near his end as he was, than death itself; but he had to do with inexorable men; so he was required to take this oath within two days. And by that time, he not being able to appear before the council, a committee was sent to tender him the oath, and take his examination. He told them he was not able to speak by reason of the low state of his health, and, in general, protested his innocence, and his abhorrence of all designs against the king or the duke's life. He desired they would leave the other interrogatories with him. They persisted to require him to take his oath; but he as firmly refused it. So, upon their report, the council construed this refusal to be a confession, and
fined

finned him as above, and ordered him to ly in prison till it was paid! 1684.

A few days after this they ordered his lady, and his sister the lady *Graden*, to be removed from his room in the prison, because they were informed his bodily indisposition was abated, though his recovery was but slender, and he soon after relapsed; wherefore his sister was permitted to be close prisoner with them. She had been fined for non-conformity by the sheriff of *Teviotdale* in 26,000 and odd pounds. The lady *Greenhead* and *John Watson of Dunikier* had likewise been exorbitantly fined. But I go on to,

C H A P. X.

Of the torture of the reverend Mr. Carstairs; the proceedings of the council, and circuit-courts, together with the societies apologetical declaration.

THE first thing that occurs, in the order of time, 1685. is the case of the reverend Mr. *William Carstairs*, who, immediately after the decyphering of *Argyll's* letter, was ordered to be put in irons, in which he continued for some weeks; during which time the earl of *Melford* earnestly dealt with him to confess what he knew as to the plot, and offered him conditions that many in his circumstances would have thought very encouraging; particularly, that nothing he said should be brought in prejudice to any man, directly or indirectly, upon trial. *Melford* had the council's authority to offer this. However, Mr. *Carstairs* did not think proper to comply, though lord *Perth* had told him, since he had refused so many singular favours beyond any prisoner, that before God he should be tortured, and never a joint of him left whole.

The council, on the 5th of *September*, ordered that he should be questioned in torture that afternoon, and agreed upon 20 questions to be proposed to him, all relating to the persons suspected to be engaged in the foresaid conspiracy, which the reader may see at large in my author, vol. II. p. 391. In the afternoon he was brought before them, and the declarations of major *Holmes* and Mr. *Shepherd* were read. He told them he had never been confronted with them, which was an evidence that they had said things they would not have had

Case of
Mr. Carstairs,


who was
put to the
torture.

1685. had the confidence to have asserted in his presence. Then he was urged to answer, upon oath, the questions to be proposed, and was told that nothing he said should ever militate against him, neither should they inquire whether his answers were true or false; but he refused to comply, being unwilling to begin so bad a precedent. They asked him next, what reasons he had why he should not be tortured. He replied, that he humbly conceived he could not be tried there, because the order by which he was sent to *Scotland* was express, that he should be tried for crimes committed against the government in that kingdom, and desired to know if the lord advocate had any thing to lay to his charge of that nature. His lordship declared he had not; but that, being now in *Scotland*, if he had been guilty of contriving against his majesty's government at *Constantinople*, he might be tried for it. Mr. *Carstairs* told them, though that was true, yet the crimes he was accused of were said to be committed in *England*, where his majesty's laws were in force for the security of his kingdom, as well as in *Scotland*, which at *Constantinople* they were not: But this was overruled, though it was a notorious breach of the *habeas corpus act*. After some farther communing the king's smith was called in with the *thumbkins*; and accordingly his thumbs were put in the screws, which were drawn so hard, that,

P. 584. says bishop *Burnet*, as they put him to extreme torture, so they could not unscrew them, till the smith by whom they were made was obliged to use his tools to take them off. Under this torture he continued an hour and an half. Mean while the torturing by the boot was tried; but the former executioner being in prison for some crime, and he that then officiated being ignorant how to use it, it was put off till next day, and, in the interim, the lord treasurer-depute was appointed to confer with him, in order to bring him to an ingenious confession.

The conditions he received.

On the 6th the council, being informed that Mr. *Carstairs* was content to swear upon the interrogatories, made an act empowering the lord treasurer-depute to give his *word of honour*, that, upon his answering, upon oath, what questions should be put to him by the first of *October* next, he should have his majesty's full pardon, never be brought as witness against any person or judicatory, directly or indirectly, for any thing

thing contained in his answers, nor ever be questioned 1684.
as to any thing prior to this day, after the said first of 
October.

His examination came on upon the 8th. His candour ^{The un-}
was singular in the answers he gave to their questions. ^{just treat-}
The reader may see his depositions in the *State-trials*, ^{ment he}
and in *Sprat's* copies of informations; and that they all ^{met with,}
amounted to no more than some loose discourses about
what was proper to be done, at such a crisis, for preserv-
ing their religion and liberties: But the council record-
ed nothing in their registers of what passed at his exa-
mination, only they ordered his depositions to be print-
ed a few hours after they were made, and that in so
lame and so unfair a manner, that probably they were a-
shamed to insert them in their registers; and, which was
worse, contrary to the conditions given, they produ-
ced and read them at the trial of *Jerviswood*, and others,
to support their evidence, as we shall relate; it was but
equivocating to say that Mr. *Carstairs* was not personal-
ly adduced as a witness; for, if his declarations were
produced, he reckoned he was made an evidence. This
reverend person vindicated himself and his brethren in
England from all assassinating designs, which, he says,
they abhorred, and, in a letter to my author, expresses
himself in these terms: ' Now, as to the whole of this ^{Part of a}
' unpleasing subject, I do declare that this affair is, so ^{letter of}
' far as I was concerned in it, as to any consultations, ^{his to}
' no farther than discourse as to what might be proper ^{Mr. W.}
' to be done for securing our religion and liberty from ^{drow.}
' dangers they were then in, without any design against
' the royal persons of the king and his brother. —
' I should be guilty of the most horrid injustice, if I
' should accuse any of the worthy gentlemen of my
' country that were my fellow-prisoners, or any of the
' *English* dissenting ministers, of having the least know-
' ledge or concern in the abominable assassination of
' the king or his brother; for I did then, as I do now,
' abhor such practices; nor can I, to this hour, tell
' really what was in that matter that makes such a noise;
' for nothing in my maimed depositions that are printed
' hath any regard to any thing of that nature, except
' as to what Mr. *Fergusson* and Mr. *Shepherd* did say,
' for which they alone are to be answerable; and I
' must also say, that Mr. *Shepherd* did own his abhor-
' rence of such practices. — I cannot but also ac-

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quaint you, that I think it was a hardship put upon me to print my depositions as they stood, because they were very lame; since simple answers to questions were set down, and neither the questions that gave rise to such answers, nor the just extenuations, as to persons and things, which I give in my answers; which had they been published, it would have been found, from what I said, that there could be no reason given why that affair should have been prosecuted with so much cruelty and violence.' —

Bishop Burnet says ' that Mr. *Carstairs* had at this time some secrets of great consequence trusted to him by *Fagel*, of which they [the managers in *Scotland*] had no suspicion; and so they asked him no questions about them. *Fagel* told the doctor, that he saw by that how faithful *Carstairs* was, since he could have saved himself from torture, and merited highly if he had discovered them. And this was the foundation of his favour with the prince of *Orange*, and of the great confidence he put in him to his death.' I shall have occasion to mention this great man again at the trial of Mr. *Baily* of *Jerviswood*; and now I proceed to other things, as they occur in the order of time.

Commis-
sions for
circuit-
courts.

Circuit-courts having been again resolved upon at *London*, upon application from the bishops and managers in *Scotland*, the king's letter, ordering the council to give a commission for them, was read on the 6th of *September*. Accordingly commissioners were appointed for the several shires, and their commission was to continue in force till the 1st of *December*, or longer, if the council should think fit. They, or any two of them, were to act within the bounds prescribed as commissioners of justiciary, in all matters of life and death; and by their instructions, which consisted of 28 articles, they were to disarm all heritors and commons, except the militia, who have not taken the *test*, and fine the recusants; to seize all preachers, chaplains not authorised by the bishop, and send them in to the council; to examine the indulged ministers on their instructions, remove such as have transgressed, and imprison them till they find security not to preach, or exercise any part of their ministerial work, or else to remove from the three kingdoms; they were farther, by their instructions, empowered to turn out all the wives and children of forfeited persons and fugitives from their habitati-

habitations, if it shall appear that they have conversed with their parents or husbands, or if they shall refuse to vindicate themselves by oath. In a word, they had, in a manner, an unlimited power, and might do what they pleased; their instructions carried them even to fire and sword; so that reflexions upon this are altogether unnecessary. But, as it was *October* before these terrible circuits sat down, it will be proper to relate some interveening occurrences.

On the 9th Mr. *John Sinclair* minister at *Ormistoun*, Mr. Sinclair having thought proper to retire to *Holland*, was indicted before the justiciary, in absence, for preaching treasonable doctrine, pressing the renewing of the covenants, defensive aims, declaiming against the king, calling the duke a rebellious enemy to God, and the councillors rogues, and praying that God would open the king's eyes to see the evil of his ways, and turn him from it, (a very good prayer) or else take him away from being a scourge and a curse to God's people. But though there was no shadow of proof for these alledged expressions, yet he was forfeited, and declared a fugitive and outlaw.

On the 15th, in order to prevent the sufferers from flying from the persecution then carried on, a proclamation was published, requiring all masters of ships, going from or returning to the kingdom, to present all their passengers, upon oath, to the several persons to be named by the customers in the precinct mentioned in the proclamation, under the penalty of imprisonment confiscation of their goods, and being rendered incapable of being master of a ship, bark, or any other vessel for the time to come. And,

On the 16th another proclamation was published, discharging all persons to travel, from one shire to another, without a pass from some person in the government, under the pain of being punished as disaffected persons: So that, as the former proclamation could not but be prejudicial to trade and commerce, so this was subversive of the liberties of the subject. It is strange the orthodox clergy were not empowered to give *passes*!

But this was a time when little regard was paid to the liberties of the subject; for the same day the council nominated a provost, bailies, and town-council for the town of *Ayr*; nay, this month and the following, as my author found from the registers, they engrossed

the

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Mr. Sinclair outlawed in absence.

Proclamation concerning passengers,

and travellers.

Magistrates chosen for the town of Ayr.

1684. the whole power of nominating the magistrates in most of the royal burghs. They even ordered a committee to be present and oversee the election of the magistrates of *Edinburgh*.

Design against the indulged ministers.

The design was now formed to turn out all the *indulged* ministers, and either to make them promise not to preach, or engage to remove from the kingdom, as appears from the instructions given to the *circuits*. They had nothing to object against their loyalty; for they rather exceeded in that point, and laid themselves too much open to the censures of many of their suffering brethren; But this brings to my mind what the noble protomartyr said to some ministers who were permitted to attend him, (*Vol. I. p. 89*) 'Though you go along with these men in part, if you do it not in all things, you are but where you were, and so must suffer; and if you go not at all with them, you shall but suffer.' Accordingly,

Mr. John Knox indignately used.

On the said 16th of *September*, Mr. *John Knox*, *indulged* at *Westcalder*, son of Mr. *Knox* minister at *Bowden* in *Teviotdale*, appeared before the council, and was imprisoned, where he continued till the king's death. It was in vain for this worthy person to plead his former services to the king during his exile, for this was not a time when regard was paid to former favours. He was chaplain to Sir *John Brown's* regiment of horse at the battle of *Inverkeithing*. His elder brother Mr. *Henry* was frequently employed by the king in negotiating his affairs in *Scotland*. Many of the king's letters to his friends were directed to Mr. *John*: Nay, the king wrote a letter to himself, dated at *St. Germain's*, *August* the 3d 1652. wherein he expresses a great value for his interest and negotiations, and concludes it thus: 'I could heartily wish therefore, that, by your interest and negotiation with those you dare trust, and who you know wish me well, some way may be thought of to assist me with money, which would be a very seasonable obligation, and could never be gotten by ME. I need say no more, but that I shall be glad to receive any advice or advertisement from you that you think necessary for me, and shall always remain your very loving friend, &c.' Mr. *Knox* was ordained minister of *North-Leith*, from which he was ejected at the restoration of his very loving friend, because he could not in conscience submit to *prelacy*;

and,

and, though he was afterwards indulged at *Westcalders*, 1684. yet now he was imprisoned, because, when the managers insisted upon his giving bond never to exercise his ministry in *Scotland*, he told them that he looked on himself as a minister of Christ, and would never ty up himself from preaching his gospel.

The same day the council ordered *Hay of Park*, *Alex. Mr. Hay of Park.* *Munro*, and *Campbell of Ardkinglass*, to be sent to *Blackness* castle. Mr. *Hay* continued in prison till *August* next year; and Mr. *Campbell*, about the end of next *April*, was brought to *Edinburgh* under a strong guard, in order to appear before the parliament. But nothing of moment was evidently proved against him. What was the issue is not known.

The same day they made an act ordering those who would not declare *Bothwell* to be rebellion, the primate's death to be murder, or who owned the covenants, or only hesitated on these things, to be prosecuted criminally, or tryed for their life. This was the pattern of the questions proposed by the soldiers to those whom they afterwards met with and murdered in the fields.

During all these unprecedented methods of oppression Mr. *James Renwick* continued to exercise his ministry, and preach in the fields, notwithstanding the many hazards he and his followers run, and the inexpressible hardships they endured, which were still more and more increasing; for, on the 16th, he was ordered to be intercommuned; and, on the 19th, was indicted, in absence, before the justiciary, for being at *Bothwell*, (which was false, for he was then a boy at the college) for preaching at field-conventicles in arms, &c. Next day letters of intercommuning were issued out against him, prohibiting all the subjects from receiving, supplying or furnishing him with meat, drink, house, harbour, &c. or conversing with him, either by word or writing, under the highest pains.

On the 25th *John Brown*, journeyman-taylor in *Edinburgh*, having been taken in *Libberton's-wynd*, was ordered to ly in irons till farther orders, for not owning the king's authority without his own limitations; refusing to pray for him at their desire, since that ought to be gone about in a devout manner and place for prayer; owning the lawfulness of rising in arms for the covenant, &c. It is surprising, he was not sent directly to the justiciary and execution; but, possibly, says my author,

1684. author, there was not a quorum of the justices in town,

C. Alison imprisoned. Some time this month major *Balfour* seized one *Colin Alison*, a weaver in *Glasgow*, in his own house, and committed him to prison, where he lay till the revolution. Non-conformity was his only crime.

Circuit-courts. I am now, according to the order of time, to relate some of the proceedings of the *circuit-courts*. The design of judicatures is to punish the guilty and protect the innocent; but these courts, without paying any regard to justice, equity, or the liberty of the subject, most barbarously harrassed all ranks of people, under the pretence of their receiving and conversing with rebels; but, to the honour of this mild administration be it spoken, their oppressive powers were very large, and by virtue of a royal letter, dated the 27th of *September*, the council and their commissioners were empowered, when there was no legal proof, to refer the matters of accusation to the oath of the defendant, and to punish him as guilty upon his refusing to swear.

Circuit at Dumfries. The circuit sat down at *Dumfries* on the 2d of *October*. The judges were *Queensberry*, his son, and *Claverhouse*. Their district was *Dumfries*, *Galloway* and *Nithsdale*; in which district the judges continued about a

Their conduct. month. All the heritors were called, and required to take the *test*, which was offered as a favour to those who were charged with what they called *irregularities*; and the recusants were imprisoned and fined. Most of them complied. Mr. *Hugh Maxwell* of *Dalswinton*, one of those who stood out, was exorbitantly fined, and endured a long imprisonment. When they had done with the heritors, they fell to work with the common people. All who would not swear they did not hear *presbyterian* ministers, or had not conversed with whom they called rebels, &c. the men were obliged to take the *test*, and give their oath never to harbour, or shew any kindness, &c. to any of the *intercommuned* wanderers, and to raise the *hue and cry* upon their hearing of them, or discovering them; the women were to swear not to cohabit, or shew the least kindness to their husbands or children. The recusants, men and women, were sent directly to prison, by which means the prisons were crouded.

Sub-courts. From *Dumfries* these judges went to *Kirkcudbright*, and from that to *Wigtoun*, and acted in the same manner;

ner; and, in the mean time, particular gentlemen and officers of the army were commissioned to hold courts in those parishes where the principal judges could not reach. At these *sub-courts* several were obliged to swear over again, though they had already satisfied the principal judges. Many who did not take the *test* were unjustly fined and imprisoned. About 28 prisoners were brought to *Dumfries* to wait the return of the judges, and were most cruelly treated by the way, not being allowed the very necessaries of life.

While the judges were thus at work, the heritors, &c. of the stewartry of *Kirkcudbright* were brought to present an address, dated the 9th of *October*, wherein they offered to his majesty five-months cess yearly, for the space of four years, for maintaining the standing army, and the better securing the peace and quiet of the kingdom; and bound themselves, for their tenants and cottars, for the future, to live *regularly*, or be removed from their lands. I shall relate how the heritors of the shire of *Ayr* were brought to comply with this; and it is not unlikely the same methods were used by these commissioned judges wherever they went.

Mr. *William MacMillan* of *Caldow*, the reverend Mr. *William MacGeorge* minister at *Heriot*, *Charles Maxwell*, and others, had an uncommon share of sufferings at this circuit at *Dumfries*. Mr. *MacMillan* had his health greatly impaired by his former sufferings, (*Vol. I. p. 361*) He was declared rebel and fugitive after *Bothwell*, and all his goods confiscated, which obliged him to conceal himself for several months in the fields. These hardships threw him into a violent fever. He was no sooner recovered, but the soldiers dragged him before this court at *Dumfries*. Because he declined to answer their ensnaring questions, and refused the *test*, he was ordered to *Wigtoun* to take his trial there. As he walked a-foot he fainted and fell down, whereupon the soldiers put him upon a bare colt, to the great hazard of his life. He was confined to the guard-house at *Wigtoun* for eight days, without a bed to ly on, though he was afflicted with a dysentery and flux; neither would the lords, when they came there, allow him the benefit of the common prison, or to give bond to appear at *Edinburgh*. He was carried from place to place; and, on the 22d of *November*, he and upwards of 80 men, women, and some children, were confined

all

1684. all night to the church of *Moffat*, notwithstanding the rigour of the season : And next day, being the *Sabbath*, they were removed from thence to *Edinburgh*, where they were distributed through the several prisons of the city and *Canongate*, and, at last, many of them sent to *Dunnoter*, of which I shall give an account next year. These prisoners, in their way to *Edinburgh*, endured the rudeness of the soldiers, and the scoffings of the profane. One *James Muirhead*, late bailie of *Dumfries*, was taken ill on the road, and, not being allowed the benefit of a physician, died in prison at *Leith*.

Mr. MacGeorge. Mr. MacGeorge and James Muirhead, above mentioned, together with John Irvine, John Scot, John Gibson, Homer Gillison, James Muir, Andrew MacClelland, and others, were all carried to the prison at *Leith*. Mr. MacGeorge was confined there till the midde of *April* next year, when he was released upon giving bond to appear when called.

Charles Maxwell. *Charles Maxwell* in the parish of *Keir* was before this infamous court, for doing some acts of kindness to his sister-in-law, who had been several months in prison for her *non-conformity* ; and, because he refused the *test*, was put into the *thieves-hole*, and laid in irons. By the entreaty of his friends, and not having the same courage with others under his sufferings, he at last complied, and was released upon paying the fees.

Women brought to trouble. Some women narrowly escaped prison by some of these circuits, because they assisted a woman in labour whose husband was pretended to be one concerned in the *Enterkin-path* rescue. This was construed *refet* and *converse*.

Sufferings of W. Martin. Many were exorbitantly fined ; particularly *William Martin*, son to *J. Martin* of *Dullarg*, was fined in the sum of 700 *l. Scots*. Sometime before this, when he was at *Edinburgh*, *Queensberry* sent for him, and offered to purchase the fortune he had a right to by his marriage with the heiress of *Carse* ; but, because Mr. *Martin* would not part with it for what he offered, *Queensberry* told him he would make him repent it, and threatned to pursue him for his life. Whereupon Mr. *Martin* sold his right much under the value. In the beginning of this year his wife was forced to give bond for 100 *l. Scots*, for having a child baptized by a *presbyterian* minister. I have not room to mention what he suffered,

suffered, by the quartering of soldiers, &c. and therefore 1684.
I proceed.

The circuit at Ayr sat down in the beginning of Oc-
tober. The judges were the earl of Mar, lord Living-
stone, and lieutenant-general Drummond, afterwards vis-
count of Strathallan.

After the rolls were called in the presence of the he-
ritors, each of the lords made a speech, recommend-
ing to these gentlemen to concert proper measures for
wiping off the odium of disloyalty the shire of Ayr in ge-
neral lay under. The design of this was to get them
to raise money, and bring them to comply with the
test, and the other measures of the court. The thing
took; and Drummond, who possessed the forfeited e-
state of Kersland, was desired to assist them with his
advice. The lieutenant-general, pretending a great
regard for their welfare and the happiness of the coun-
try, gave it as his opinion, that the best way for shew-
ing their loyalty, and procuring an indemnity for past
crimes, was to make a voluntary offer to take the test.
He told them, that though the law confined it to those
who had places of trust, yet their loyalty would appear
by petitioning the lords commissioners to administer
it unto them. When this proposal was made several
withdrew, and they who stayed complied with it:
Upon which a form of a petition was drawn up; three
copies were writ for the three districts of the shire.
Upon this the lords separated, one to the body of the
church, another to the isle, and a third to another
place. Then the heritors, according to the respective
districts, were called. The question put to each was,
Will you sign the petition, or not? They who signed
it were dismissed, and the recusants were ordered to
continue where they were, without being allowed ei-
ther meat or drink; for, says my author, it would
seem they intended to starve them into loyalty: But the
lords, being ashamed of this indiscreet treatment of so
many innocent persons of rank, allowed them to come
out of the church, and confined them to the town.
Next the commissioners proceeded to administer the
test to those that had signed the petition; but finding
that some of them, upon second thoughts, had changed
their mind, and refused, they were so enraged that
they sent them to prison, and some of them to that
naughty place called the thieves-hole; as Montgomery of

1684. *Bordland*, and others, who had neither room to sit nor stand upright. The equity of this proceeding, after they were told that the law obliged none to take the test but those in places of trust under the government, must be left with the reader. After this the recusants had indictments given them, consisting of many crimes, of which many of them were incapable. For some young men who had no families, but lived with their parents, were charged with *refet* and *converse*; and others unmarried, who had no children, were accused of irregular marriages and baptisms. These indicted gentlemen were ranged into several divisions; and such as they saw proper were ordered to be examined by the officers and subalterns of *Mar's* regiment then lying in *Ayr*. Some of these officers, as lieutenant-colonel *Buchan*, afterwards turned *papists*. From the report of these deputies it appeared that several were able to purge themselves by oath of the crimes laid to their charge, though others could not: Yet ALL of them were treated as guilty, and were all called again before the lords, and had a new offer of the test, as the only way to clear their innocence. Several complied through the importunity of their friends. They who still kept their ground were brought, one after another, before the commissioners, and were still urged to take the test, and, upon their refusal, though they had nothing else they could prove against them, were committed prisoners to that room in the tolbooth or prison of *Ayr*, called the *Council-house*, where they remained, crowded together, without fire, or any proper accommodations, till at last the lords were pleased to dismiss them, upon exorbitant bail, above the value of their estates, to appear at *Edinburgh* when called.

Treat-
ment of
ministers.

All the indulged *presbyterian* ministers in this shire were called before this infamous circuit, and, upon their refusing the test, were ordered to oblige themselves not to exercise any part of their ministry until they had allowance from the king and council. One or two complied; but the rest, who absolutely refused, were sent to the *Bass* and other prisons, where they endured many hardships: And by this means the *orthodox* clergy got free of most of the *presbyterian* ministers in the *West*.

Of the
common
people.

In order to frighten the country people, and some young gentlemen, into the test, a gibbet was erected at the

the cross. The lords used to say, *Yonder TREE will make you take the TEST.* One day the earl of Mar said to a young gentleman recusant, pointing to the gibbet, *Will not that shake your resolution?* No, my lord; answered the other; *if I am to be hanged, I expect so much advantage; by my birth and quality, as to hang at the cross of Edinburgh, and betwixt this and Edinburgh I may think what to do.* In short, all recusants were disarmed; none were allowed to go out of their parishes without a certificate from the prelatical incumbent; all were discharged from being at *field-conventicles* upon pain of death. All who were blamed with *reset* and *converse* behoved either to take the test, or go to prison.

Before I leave the circuit at Ayr I must mention two instances of particular severities. A poor country-man was charged with being at Bothwell, and sentence was going to be passed; but lord Livingstone, president at that time, told him, That, if he would but answer one question, the sentence should not be pronounced. The question was, *Do you own the king's authority, or not?* The man answered distinctly, *My lord, I do own the king's authority, so far as he acts by, and it is grounded on the word of God.* The president said again, *I ask thee, man, do you own the authority of king CHARLES II. yea, or no?* To which he replied, *I do own the authority of king CHARLES II. as he acts conform to the word of God, and grounds his power thereupon.* The question was several times repeated, and the honest man, not giving any other answer, was ordered to be hanged at the cross of Ayr in a few hours; but, by the intercession of some ladies, he was reprieved, and carried in to Edinburgh. Here was a sentence of death passed upon a poor man, because he could not see that the king had authority without any foundation on a divine law!

The other instance is of *Quintin Dick*, a feuar of Dalmellington, (Vol. I. p. 411) who, being required to swear upon the common ensnaring questions, answered, *That rising in arms in self-defence, and entering into leagues and covenants without the consent of the magistrate, were controverted points, and he could not give his oath upon them.* Then they urged him to take the oath of *allegiance*. Upon which he declared, *That he owned the king's authority in things*

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Sentence of death unjustly passed on a poor country-man.

Quintin Dick's sufferings.

1684. *things civil*, and was ready to swear it; but *supremacy* in things *ecclesiastical* was such an usurpation upon Christ's kingdom, that he was a better friend to the king than to wish him it. Whereupon he was fined in a 1000 *L. sterl.* and ordered to be banished to the plantations. His goods were immediately seized, his house converted to a guard-house, and himself cast into one of the worst places of the prison, among thieves and murderers. When he was carried to *Edinburgh* he disowned the societies declaration of war before the council, for he thought these zealous people carried matters too far; however, he remained in prison till he was sent, with others, to *Dunnotter*. The reflexions be made on his sufferings the reader will find in Mr. *Wodrow's* history.

Sermon of Alex. Ross, D. D. The last circuit-court I am to speak of is that of *Glasgow*, which sat down on the 14th of *October*. *Alexander Ross*, D. D. professor of divinity there, preached a sermon before them, which breathed forth nothing but slaughter and persecution. His text was, *Acts xxvi. 28. Almost thou persuadest me to be a christian.* In discoursing upon it he proposed, 1. to shew the parties of our divided *Zion*; 2. the malignancy of the national sin of *schism*; 3. the necessity of *episcopacy* for supporting the main concerns of *christianity*; and, lastly, the application. How far a discourse of this nature was founded on this text, or agreeable to the spirit of the gospel, is easy for any to determine.

Address of the heritors of Stirling-shire. The loyal heritors of *Stirling-shire*, which was within the bounds of this circuit, presented an humble address to the judges, viz. the duke of *Hamilton*, lord *Lundin* and lord *Collington*; in which they declared their readiness to contribute in the supply of three months cess yearly, for two years ensuing, to be paid at *Martinmas* and *Whitsunday* next, by equal portions, besides the supply granted by the current parliament.

Their bond of regularity. They likewise delivered a *bond of regularity*, under their hands, in which they obliged themselves, families, tenants, and subtenants, &c. to live regularly and orderly according to act of parliament; to suppress all disorders, by taking and delivering the offenders to justice, if in their power; to give timely notice to the next magistrate or officer of the army, and concur with them in apprehending any fugitives, vagrant preachers, &c. to frequent their own parish-churches, unless lawfully hindered, and partake of the Lord's supper, unless they satisfy

atisfy their minister of their present unfitness ; to deliver 1684.
up to the magistrates such of their tenants or cottars,
Ec. as shall refuse to partake of that sacrament, unless
they satisfy the minister for their neglect ; to baptize
and marry with none but their own parish-ministers,
without their consent, to pay the cess above mention-
ed, &c, &c. This was a most extensive bond. The
reader will make his own reflexions upon it.

But the heritors of *Renfrew* and *Lanerk* were not so
pliable ; for they generally refused the test, declined the
bond of regularity, and so were obliged to endure the
hardships of a prison, not a few of them for the space
of 16 months. *William Dalziel* of *Redmire* died in pri-
son, and, with difficulty, was suffered to be buried,
with his ancestors, in the church-yard of *Camnethan*.

Treat-
ment of
the heri-
tors of
Lanerk,
&c.

The treatment of some heritors in the parish of *The Lochwinnoch* was peculiar. About two sabbaths before
the lords came to *Glasgow*, the sheriff-officer stood at
the church-door, and ordered all the heritors of the pa-
rish to appear before the lords. *Ro. Orr* of *Millibank*,
Ja. Allan portioner of *Kers*, *John Orr* of *Jamphrestock*,
Ja. Ramsay portioner of *Auchinhow*, *Ja. Orr* of *Hills*,
Ro. Semple of *Balgreen*, *Will. Orr* portioner of *Keam*,
and *William Blackburn* of *Lawristone*, were, for their
not complying, obliged to walk on foot, through frost
and snow, with about 40 other prisoners, to *Stirling* ;
where, notwithstanding their fatigue and want of refresh-
ment, they were forced into three low vaults under
ground, without fire or light, or any thing to ly on, or
conveniency for easing nature ; and, had not some good
people taken compassion on them, by sending them straw,
coals and victuals, their case had been still more wretch-
ed. Being told that they were to be sent to *America*,
their friends gave them money ; but the soldiers took
it, all from them. They continued at *Stirling* till *May*
next year, when they were taken out, tyed two and
two, and sent into the prison of the *Canongate*, from
whence some of them were ordered to *Dunnotter*, where
they endured unaccountable hardships. Thus much for
these arbitrary circuits, from which the reader will easily
form a judgment of the state of the country. These were
the golden days of the mild administration of *CHARLES*
II.

The
heritors
of *Loch-
winnoch*.

Bishop Burnet gives but a very general account of these p. 581.
infamous courts, which he concludes, by telling us,
' That

1684. That the severity which the *presbyterians* formerly had used, forcing all people to take their COVENANT, was now returned back on them in this TEST, that they were thus forced to take. But that the *presbyterians* forced all people to take the covenant is not matter of fact; for, in the covenanting period, there were many DEBARRED from the covenant and communion, and none who were thus *debarred* were admitted, but only those who, after exact trial, were found to have given sufficient evidence of the sincerity of their repentance. I find a modern author challenging his antagonist to give an instance of any that suffered, either confiscation of goods, banishment, or death, for their refusing the covenant; so that no comparison can be made here.

J. Law-son and A. Wood executed. I find, by the *Cloud of witnesses*, that James Lawson and Alex. Wood suffered at Glasgow on the 24th of October this year. Whether it was in consequence of a sentence of the circuit-court there, I know not. Their joint testimony is in the above collection, to which I must refer the reader.

W. Niven, &c. transported. The council at Edinburgh was not idle during these things. On the 9th of October W. Niven and John Hodge were ordered for transportation, because they would not take the oath of allegiance and supremacy, submit to prelacy, and own Bothwell-bridge to be rebellion. They allowed physicians to visit James Hamilton of Aikenhead, though one might have expected, since non-conformity was the only crime for which he was confined, they might have suffered him to go out upon bail.

State of the wanderers. The state of the west and south of Scotland was now dismal, and the old followers of Mr. Cargill, who had united in societies for general correspondence, and made choice of Mr. Renwick for their minister, were in an especial manner exposed to the vengeance of the government. The sea-ports were shut up, that they could not get out of the kingdom; they were pursued by the bloody and merciless soldiers; the whole country was sworn to discover them, and bound up from giving them meat, drink, or lodging; secret intelligencers were hired to find out their lurking places, and any who were inclined to do them the least kindness. They were put from under the protection of the laws of their country; no terms were allowed them but a renouncing of their principles,

principles, and swallowing those oaths by which thou-
sands were involved in the horrid guilt of perjury. 1684.

Under these dreadful circumstances, on the 15th of *Their re-*
solution. October, they met among themselves, along with Mr. *James Renwick* their minister, and proposed to emit a declaration against the wickedness of the severities used by their persecutors. Mr. *Renwick* was at first averse to the proposal, fearing the sad effects it might produce; but, considering that the necessity of the case admitted no delay, he was prevailed with to consent, concur, and assist in the publication of it. The paper was drawn up by him, and agreed to on the 28th, and the following is a short abstract of it.

The apologetick declaration and admonitory vindication of the true presbyterians of the church of Scotland, especially anent intelligencers and informers.

‘ **A**LB EIT we know that the people of God, in all *Apologe-*
‘ ages, have been cruelly persecuted, ——— yet *tick decla-*
‘ such hard usage ——— hath not, at least ought not, *ration.*
‘ to have abated the zeal of tender-hearted christians, *Inform.*
‘ in the prosecution of holy and commanded duties; *Vindic.*
‘ therefore, as hitherto we have not been driven to *96, &c.*
‘ lay aside necessary obliging duties, because of the vi-
‘ perous threatnings of men, ——— so we declare our
‘ firm resolution of constant adherence to our *covenants*
‘ and engagements, ——— and ——— to our faithful decla-
‘ rations, wherein we have disowned the authority of
‘ CHARLES Stuart (not authority of God’s institu-
‘ tion, either among heathens or christians) and all au-
‘ thority depending upon him, ——— and wherein also we
‘ have declared WAR against him and his accomplices;
‘ ——— therefore, ——— we do hereby testify and declare;
‘ That, as we utterly detest and abhor that hellish prin-
‘ ciple of KILLING all who differ in judgment and persua-
‘ sion from us; ——— so we look upon it as a duty, ———
‘ to publish ——— unto the world, that, for as much as
‘ we are firmly and really purposed not to injure or of-
‘ fend any whomsoever, but to pursue the end of our
‘ covenants, in standing to the defence of our glorious
‘ work of reformation, and of our own lives; yet, (we
‘ say) we do hereby declare unto all, that whosoever
‘ stretcheth forth their hands against us, ——— by shed-
‘ ding our blood *actually*, either by authoritative com-
‘ manding,

1684. ' manding, such as * bloody councillors, — especially
 ' that called justiciary, general of forces, adjutants,
 * This ad- ' captains, lieutenants, and all in civil and military
 jective, ' power, who make it their work to embrue their hands
 they say, is ' in our blood; or by obeying such commands, such as
 added, to ' bloody militia-men, malicious troopers, &c. likewise
 distinguish ' such gentlemen and commons, who — ride and run
 between ' with the foresaid persons, to lay search for us, or who
 the blood- ' deliver any of us into their hands, to the spilling of our
 thirsty and ' blood; by inticing morally, or stirring up enemies to
 the more ' the taking away of our lives; — by informing a-
 moderate. ' gainst us wickedly, wittingly and willingly, such as
 ' viperous and malicious bishops and curates, and all such
 ' sort of intelligencers, who — raise the *hue and cry*
 ' after us; — we say all, and every one of such, shall
 ' be reputed by us as enemies to God and the *covenant-*
 ' ed work of reformation, and punished as such, accord-
 ' ing to our power and the of degree their offence, chief-
 ' ly, if they shall continue, after the publication of this
 ' our declaration, obstinately and habitually, with ma-
 ' lice, to proceed against us any of the foresaid ways.
 ' — Finally, we do hereby declare, that we abhor,
 ' condemn and discharge any *personal* attempts, upon
 ' any pretext whatsoever, without previous delibera-
 ' tion, common or competent consent, without certain
 ' probation by sufficient witnesses, the guilty persons
 ' confession, or the notoriousness of the deeds them-
 ' selves. Inhibiting also and discharging any of our
 ' emissaries whatsoever, to stretch forth their hands be-
 ' yond the certainly known degrees of any of the fore-
 ' said persons their offences. — Therefore let all these
 ' foresaid persons be admonished of their hazard. And
 ' particularly all ye intelligencers, who, by your volun-
 ' tary informations, endeavour to render us up to the
 ' enemies hands, that our blood may be shed, — we
 ' desire you to take warning; — for the sinless necessity
 ' of *self-preservation*, accompanied with holy zeal for
 ' Christ's reigning in our land, and suppressing of pro-
 ' fanity, will move us not to let you pass unpunished;
 ' — not because we are acted by a *sinful spirit of re-*
 ' venge for private and personal injuries, but mainly be-
 ' cause, by our fall, reformation suffers damage. —
 ' And as — we have here declared our purposes anent
 ' malicious injurers of us, so — we heartily beseech
 ' and obtest all you, who wish well to *Zion*, to shew
 ' cur

‘ your good will towards us, by acting with us, — 1684.
 ‘ for this great work of holding up the standart of our
 ‘ Lord Jesus Christ. Think not that, in any ways,
 ‘ you are called to ly by neutral and indifferent, espe-
 ‘ cially in such a day; for we are a people by holy
 ‘ covenants dedicated unto the Lord — And, more-
 ‘ over, we are fully persuaded, that the Lord, who
 ‘ now hideth himself from the house of *Jacob*, will sud-
 ‘ denly appear, bring light out of darkness, perfect
 ‘ strength out of weakness, and cause judgment return
 ‘ again to righteousness. — Given at upon the
 28th of *October* 1684.

*Let King JESUS reign, and all his enemies be scat-
 tered.*

They ordered copies of this declaration to be affixed
 to a sufficient number of market-crosses and church-doors
 on the 8th of next month, which was done according-
 ly.

In the *informatory vindication* they distinguish be- *Remarks.*
 tween a declaration of a *hostile war* and *martial insur-* P. 41, 42.
rection, and declaring a war of *contradiction and oppositi-*
on by testimonies. As for the former, to use their own
 words, ‘ they looked upon that only to be declared a-
 ‘ gainst the *tyrant*, and such as should rise with him in
 ‘ arms, mustering themselves under his banner, displayed
 ‘ against the *cause and people of God*, for destroying the
 ‘ *covenanted work of reformation*, and extirpating all the
 ‘ owners of it; but as for the latter, it was declared
 ‘ against all such as any way strengthen, side with, or
 ‘ acknowledge the said tyrant, or any other in the like
 ‘ *tyranny and usurpation, civil or ecclesiastick*, not that they
 ‘ would martially oppose and rise up against all such,
 ‘ but that, by their profession, practice and testimony,
 ‘ they would contradict and oppose them and their pro-
 ‘ fession and practice as to that thing.’ And it appears,
 from the declaration itself, that it was a war in their
 own defence, against those who maliciously and wicked-
 edly thirsted for their blood. They declared their ab-
 horrence of all private revenge and assassination. It is
 also plain, that, though they disclaimed the tyrannical
 government of that time, they still owned magistracy
 and all *lawful authority*. How far it was prudent in
 them to publish this threatening declaration in that con-
 juncture, is not for me to determine. However, this
 is certain, that though it exasperated the managers to

1684. more rigorous measures, yet it wanted not its effect; for it struck a terror among malignant informers and intelligencers, and the most virulent and persecuting curates of *Nithsdale* and *Galloway* thought proper to retire to other places for a time: And indeed their view in this paper was not so much *action*, as the *threatning* of some people they had to do with; and if any look upon it as an unjustifiable piece of extremity, they ought to consider their circumstances, and the illegal and barbarous oppressions they were under, in being in a manner *killed all the day long*, and counted as *sheep for the slaughter*. I shall relate the consequences of this in their proper order.

*Sufferings
of W.
Hanna
and his
son.*

Mean while, on the 26th of *October*, *William Hanna*, in the parish of *Tunnergarth* in *Annandale*, having been apprehended in *England* by colonel *Dacres*, was received by one *Sprinkel* and his troop. He lay in irons at *Dumfries*, and at last was confined in a dark pit under the *Canongate* prison. The soldier who brought him his small pittance of meat and drink said, *Seek mercy from heaven, for we have none to give you*, with other expressions of blasphemy. He continued in this place nine days, and then was brought up to the prison, where he remained till he was sent with others to *Dunnotter*. His only crime was non-conformity, for which he had in the preceeding years suffered greatly. His son *William*, not 16 years of age, was, in 1682. taken by a party of soldiers, though he was afflicted with the ague, and forced to walk a foot for some days along with them. Coming to the grave of one who had been shot, and buried in the fields, they set him down on the grave, and, covering his face, threatned him with immediate death if he would not promise *regularity*, &c. The boy told them, *God sent him to the world, and had appointed his time to go out of it, only he was determined to swear nothing he reckoned sinful*. He was now in their power, and they might do as they would. In the year 1683. he was taken to *Edinburgh*, and, after several examinations, was tortured with the *thumbkins*, and then loaded with irons, which were so strait that his flesh swelled out above them; and, after a year and a half's imprisonment, he was transported and sold in *Barbadoes*. It is said he returned after the *revolution*, and was a minister in *Scarborough*.

The

The orthodox clergy were amongst the most diligent informers, and their informations were sometimes followed with peculiar cruelties, of which the treatment of one *R. Watson*, in the parish of *Badernock*, near *Glasgow*, is a glaring instance. While this good man was confined to his bed by a paralytick disorder, Mr. *Stirling* the curate informed against him as a disaffected person; whereupon, about eight at night, a party came to his house, put one of his horses to a sledge, took him and the couch whereon he lay, and laid him across the sledge, with his head and feet lying over it, and in that posture carried him to *Glasgow* that same night, though the rain was exceeding great. But when *Robert* was examined, he was dismissed, and the soldiers cursed the curate for putting them to so much trouble. About the same time Mr. *James Gilchrist*, chaplain to the laird of *Glorat*, was made prisoner. But, passing these things, I shall now relate other unprecedented branches of tyranny and oppression in

C H A P. XI.

Of the proceedings of the council and justiciary; the murders in the fields; the trial and execution of Mr. Robert Bailly of Jerviswood, and others; with several other branches of persecution to the death of king CHARLES II.

THE persecution of this period is still on the growing hand, as will appear from a relation of matters of fact in the order of time when they happened. Many worthy and excellent gentlemen suffered exceedingly, by exorbitant fines and long imprisonment, during the months of *November* and *December*. The most of them, if not all, had been before the circuits upon sham indictments. Among others these following suffered exceedingly, viz. Sir *J. Maxwell* of *Netherpollock*, the lairds of *Craigends* elder and younger, the laird of *Dauchal*, the laird of *Fulwood*, *Z. Maxwell* of *Blawarthill*, brother to *Netherpollock*, Mr. *J. Pollock* of *Balgray*, and *J. Caldwell* laird of *Caldwell*, from the shire of *Renfrew*. The lairds of *Allantoun* and *Halraig*, Mr. *Andrew* afterwards Sir *Andrew Kennedy* of *Clowburn*, the lairds of *Overtoun*, *Hartwood*, *Brown-castle* and *Bradisholm*, *James Young* chamberlain of *Escandale*, &c.

1684. *vandale*, Mr. *John Bannantyne* of *Corehouse*, after the revolution minister at *Lanerk*, and *Bannantyne* of *Craigmuir*, from the shire of *Lanerk*. Sir *James Montgomery* of *Skermorly*, Sir *Adam Whiteford*, *Cunningham* of *Asbenyards*, and others, from the shire of *Ayr*. Mr. *Hugh Maxwell* of *Dalswintoun*, and the laird of *Balmagechan*, from *Dumfries* and *Galloway*. There were other gentlemen exorbitantly fined for the same cause with these now mentioned, as the lairds of *Riddel*, *Greenhead*, *Wall*, and *Chatto*, lord *Granston*, Sir *William Scot* of *Harden*, senior and junior; but whether at this precise time I cannot say. The managers wanted to finger their estates; and, as they had nothing to lay to their charge but *non-conformity*, false indictments were trumped up against them, and the TEST, contrary to law, was pressed upon them, which they knew they would not take; and therefore they were thus illegally fined, and several of them suffered a tedious imprisonment.

On the 8th of *November* the apologetical declaration was fixed on several church-doors in *Nithsdale*, *Galloway*, *Ayr* and *Lanerk-shire*.

J. Hutchison
condemned.

On the 11th *J. Hutchison*, portioner in *Newbottle*, was, in absence, condemned to be executed, when apprehended, for being at *Pentland* and *Bothwell*, the time and place to be appointed by the council. The same day copies of the above declaration were brought to the council, by which they were exasperated to the last degree; so that, instead of acting like grave and solid councillors, they discovered themselves to be under the influence of a spirit of rage and cruelty; for not only they who were taken up on suspicion, but even they who were already in prison, were barbarously used on this very account.

W. Niven.

The same day, about six in the evening, *W. Niven* smith in the parish of *Eastwood*, and several others, were brought from the *iron-house* before the council or their committee; and, being interrogated by the chancellor whether they knew any thing of the treasonable papers that had been affixed to the church-doors, declared they did not. Then they were asked if they owned the matter of them; and answered, They knew nothing about them, and so could neither own nor disown them. The clerk, upon this, read the declaration as fast as he could. Upon which they declared they could make no judgment of it upon hearing it in
such

such a manner. They were again required to disown 1684. it upon the highest pains. They answered they had no share in it, and could not take upon them to judge of what no ways concerned them. After they were removed a little they were called in, and told they were sentenced to die that night at 10 o' clock: But something came in the way that prevented the execution of this unaccountable sentence.

On the 13th *John Semple* of *Graigthorn*, in the parish of *Glasford*, was taken and brought before the council, on suspicion of being accessory to the above *apologetick declaration*, and was ordered immediately to be examined by the *thumb-screw* and the *boots*, or both, which he endured, and the torture was repeated next day. And the same day *Robert Goodwin* and other prisoners were brought before them on suspicion. They declared they knew nothing of it. When it was read to them in a hurry, they were ordered solemnly to swear that they neither adhered to it, nor knew the authors of it. *Robert* declared, in the name of the rest, that they never heard it till now, and knew nothing about the forming of it; but, because they would not swear, they were immediately sent to the *iron-house*.

See his letter in the Cloud of Wit. p. 312.

On the 14th *John Semple*, *John Watt* and *Gabriel Thomson* were condemned and executed at the *Gallowlee*, because they owned, or refused to disown, the above mentioned paper. This was quick work, there being but a few hours between their sentence and their death. The poor men were scarce suffered to pray. The spectators were surrounded by the soldiers; and, refusing to answer upon oath the questions put to them, ten or twelve were carried from the scaffold to prison: Nay, because three coffins were seen carrying down the street to receive their bodies, the council ordered *Sir William Paterfson* to make inquiry by whom they were made.

John Semple, &c. executed.

Next day *Thomas Abercromby*, in the parish of *Bar*, was apprehended at midnight in his own house, and carried away prisoner without any cause assigned. His house was rifled by the soldiers; and it cost him a great deal of money before he got off. His losses before this, and sufferings afterwards, were not small.

On the 20th the advocate was ordered to prosecute *John Porterfield* of *Douchal* for high treason, tho' they had

1684. had no more to lay to his charge than to that of some of the rest : But this was done to bring them into their measures.

Kenno-
way and
Stuart
killed at
Swine-
Abbey.

The same day *Thomas Kennoway* and one *Duncan Stuart* were both killed, by persons unknown, at *Swine-Abbey* in the parish of *Livingstone*. I cannot relate the circumstances, as none were present but the actors, who were never apprehended. The *societies* were so far from approving this, that they refused to admit some persons among them whom they suspected to be concerned in it, all such assassinations being contrary to their *apologetical declaration*. It is indeed certain that *Kennoway* was one of the greatest oppressors, and a terror to the country. I shall not trouble the reader with particulars. The widows of these two were by the council recommended to the treasury for charity.

Act
for killing
in the
fields.

A strict search was ordered to be made through the city of *Edinburgh* for those concerned in the murder, and the above mentioned declaration. The council then made their *bloody act*, empowering the *soldiers* to kill in the fields all who would not answer their queries. This was such an unprecedented step, that none could believe it, was it not recorded in their own registers, to their everlasting disgrace. Thus the matter stands.

Apud Edinburgh, November 22. 1684.

Sederunt Chancellor, Register, Advocate, &c.

‘ THE query under written, proposed by the lords of his majesty’s privy-council to the lords of his majesty’s council and session, with their answer, is ordered to be recorded.’

Query. ‘ Whether any of his majesty’s subjects, being questioned by his majesty’s judges, or commissioners, if they own a late proclamation, in so far as it declares war against his sacred majesty, and asserts that it is lawful to kill all those who are employed by his majesty, refusing to answer upon oath, are thereby guilty of high treason, and art and part in the said declaration?’

Answer. ‘ It is the unanimous opinion of the lords of council and session, that a libel, in the terms of the said query, is relevant to infer the crime of treason, as art and part of the said treasonable declaration, against the refusers.’ Subscribed by *Perth* chancellor, *David Falconer*, *George MacKenzie*, &c.

‘ It

‘ It being put to the vote in council, whether or 1684.
 ‘ not any person who owns, or does not disown the
 ‘ late traiterous declaration upon oath, whether they
 ‘ have arms or not, should be immediately killed be-
 ‘ fore two witnesses, and the person or persons who
 ‘ are to have instructions from the council for that
 ‘ effect? Carried in the affirmative.

‘ *The lords of his majesty’s privy-council do hereby ordain*
 ‘ *any person who owns, or will not disown the late treason-*
 ‘ *able declaration upon oath, whether they have arms or*
 ‘ *not, to be immediately put to death; this being always*
 ‘ *done in presence of two witnesses, and the person or per-*
 ‘ *sons having commission for that effect.’*

By the answer to the query the refusers were to be *Remarks.*
 indicted; but, by this act of council, they are to be
 immediately put to death without any indictment.
 How far then the act is founded on the answer must
 be referred to those learned in the law; and how Sir
 George MacKenzie had the confidence to vindicate this
 is very surprising. As for the commissioners spoke of,
 this is certain, that majors, captains, and even soldiers,
 pretended to act by virtue of it, and certainly they
 were much encouraged by it.

The day after this bloody act the council gave a *Commissi-*
 commission to lord Livingstone, lord Ross, lord Torphich- *on and*
 en, &c. or any five of them, to try, judge and *instructi-*
 execute in the parish where Kennoway and Stuart were *ons.*
 murdered; and, together with the commission, instruc-
 tions were given to the forces sent to the parishes of
 Livingstone, Bathgate, Torphichen and Calders, of which
 I give the following abbreviate. ‘ You shall convocate
 ‘ all the inhabitants——above 14 years of age, in the
 ‘ parish of Livingstone, &c. and examine every person;
 ‘ and, after the oath of abjuration, [of which in its
 ‘ place] such as take the oath you shall dismiss, unless
 ‘ you suspect their guilt. And, if any own the late
 ‘ traiterous declaration or assassination, you shall exe-
 ‘ cute them by military execution on the place. And
 ‘ such as refuse to answer or depone, or will not dis-
 ‘ own the said, &c. you shall give them a libel instant-
 ‘ ly, call fifteen men as a jury, and let them judge them,
 ‘ and instantly execute the sentence of death on such
 ‘ as do refuse to disown, or to answer the questions
 ‘ before the said jury.—And as to the families of
 ‘ such as you thus condemn and execute, you shall
 ‘ make

1684. ' make prisoners of all persons in their families, above
 ' the age of 12 years, in order to transportation.—
 ' For all which this shall be warrant to you, and all
 ' officers and soldiers employed by you.' Subscribed by
Perth chancellor, *Douglass*, *Balcarras*, *George Mac-*
Kenzie, &c. There were several other instructions. I
 have only singled out these, that the reader may see,
 that the *murders in the fields*, which were committed after
 this, had now the sanction of authority; neither shall
 I detain him by any reflexions of mine, but leave him
 to his own.

Manner
 of exa-
 mining the
 people.

The above mentioned judges sat first at *Livingstone*,
 where many questions were put to several people, con-
 cerning the king's authority, their keeping the church,
 and other things quite foreign to the designed inquiry.
 The soldiers sat on horseback, with their swords drawn,
 and surrounded the country people in the fields. The
 old and infirm, who had not been from their houses for
 many years, were forced to attend. And they who
 could not walk were brought out on horseback; nay,
 they who could not sit, says my author, were tyed to
 one another on horseback, and none were permitted to
 go home till they were examined by the judges, or ra-
 ther *inquisitors*. But I pass these things.

Oath of
 abjura-
 tion.

On the 25th the council approved of the following
 draught of the oath of ABJURATION, to be offered to
 whom they or their commissioners should think fit.
 ' I A. B. do hereby abhor, renounce and disown, in
 ' the presence of the Almighty God, the pretended de-
 ' claration of war lately affixed at several parish-churches,
 ' in so far as it declares a war against his sacred majesty,
 ' and asserts that it is lawful to kill such as serve his
 ' majesty, in church, state, army, or country, or such as
 ' act against the authors of the pretended declaration
 ' now shewn to me. And I do hereby utterly renounce
 ' and disown the villainous authors thereof, who did,
 ' as they call it, *statute and ordain* the same, and what
 ' is therein mentioned. And I swear I shall never assist
 ' the authors of the said pretended declaration, or their
 ' emissaries or adherents, in any point of punishing,
 ' killing, or making of war any manner of way, as I
 ' shall answer to GOD. This was the first form of the
abjuration. We shall find it much curtailed afterwards,
 and therefore I shall make no remarks on it here.

Next

Next day the council made an act ordering new elections to be made for next Session of parliament, which was to meet in *March* next, in the room of those who were disqualified by an act of the last session, (my author thinks it was the *test-act*) and by their being under process for treason. As the parliament was to sit, it was but proper that the members should be such as would pursue the measures of the ministry.

At last the design against all the *indulged* ministers was accomplished; for, on the 27th of *November*, the council ordered them all to be ejected because they had not kept their instructions, *Vol. I. p. 301.* and some of them had not observed the *fast* appointed in *September* last; and, by the instructions given to the commissioners in different shires, they were obliged, *December* the 2d, to give *bond* not to exercise any part of their ministry in *Scotland*. Some of them had before this been imprisoned because they would not comply with this, as Mr. *Anthony Murray*, and Mr. *J. Curry*. The reverend Mr. *John Carstairs*, perceiving this storm a-coming, wrote to the chancellor for his lordship's pass to leave *Scotland*. He died soon after, and so got out of the reach of his enemies. Not a few were imprisoned after this, as Mr. *Ralph Rogers*, Mr. *William Tullidaff*, Mr. *Robert Boyd*, Mr. *Robert Duncanson*, Mr. *Duncan Campbel*, Mr. *John Greg*, Mr. *James Hutchison*, Mr. *Andrew Millar*, Mr. *Peter Kid*, Mr. *John Knox*, Mr. *Walter Mowat*, &c. There were but few that complied. Thus the *prelates* got rid of those who were great eye-sores to them.

On the 28th the gentlemen from *Renfrew* were, except the laird of *Douchal*, summoned to appear before the council on the 2d of *December* next.

Next day *J. Portersfield* of *Douchal* was indicted before *J. Porterfield* of *Douchal* the justiciary for high treason, because he did not reveal Sir *John Cochran's* proposal for charity to *Argyll*, and had conversed with his own brother who had been forfeited for the affair of *Pentland*, and had harboured one *George Holmes* who had been at *Bothwell*. He owned that Sir *John Cochran* had asked 50 L. by way of charity to the earl of *Argyll*; but that the proposal was made with so much indifference, that he did not think it worth his while to reveal it. As for conversing with his brother, he thought there was no harm in it, because some years after *Pentland* he had lived peaceably in the shire of *Renfrew*, and had conversed with his majesty's subjects

1684. of all ranks, such as privy-councillors, the sheriff of the shire, and officers of the army; from whence it was generally concluded that he was indemnified, &c. As to *George Holmes*, he declared, that, when ever he understood that his name was in the *porteous-roll* of the court of *Glasgow*, 1679. though he was no tenant of his, he obliged his father to put him off his ground; that the said *Holmes* had afterwards made up his matters, and listed himself a foldier in the king's army. But though this was the plain state of the case, yet he was brought in guilty of treason, and condemned to be executed when and where the king should appoint.

Remarks. This sentence drew compassion and tears from many of the spectators, to behold such a good old man meet with so much injustice; and it is said, that even Sir *George MacKenzie* threw the blame of this from himself, and called this gentleman *Lord Melford's martyr*. The truth is, *Melford* had a previous promise of his estate. Such instances as this, says my author, verified the black character which a person of merit and honour gave him of this period. 'This was a time when stretches of obsolete laws, knights of the post, half or no probation, malicious informers, scandalous rogues and miscreants, were the government's tools to ruin men of estates, honour and principle.' I would farther observe, that, the day before his trial, the lords of council and session gave their judgment of this gentleman's case, viz. *That the concealing and not revealing, in the case foresaid, is treason*; so that, how far the same persons could in equity give their judgment over again in the same cause, I must leave to those learned in the law. This gentleman was not executed; however, he was obliged to give security to the earl of *Melford* for 50,000 merks, and a gratuity of 100 guineas to his lady. The half of the sum was paid to him, though *Douchal* was his cousin. The revolution prevented the payment of the other half. The principal informer against him was *John Maxwell* of *Overmains*, a neighbour and relation, who had no other way of atoning for the crimes of adultery, &c. but by turning informer. I shall only add, that this *Maxwell* came to ruin, while the family of *Douchal* was not only restored to its own paternal inheritance, but also purchased the estate of the wicked informer.

* viz. of
Sir John
Coch-
ran's pro-
posal of
charity to
Argyll.

On

Chap. II. CHURCH of SCOTLAND. 267

On the 2d of December the gentlemen of Renfrew 1684. were fined in the following sums, viz.

| | L. | s. | d. | Exorbi- tant fines. |
|--|------|----|-----------------|------------------------|
| Sir John Maxwell of Netherpollock, | 8000 | 0 | 0 | |
| Alexander and William Cuninghams } of Craigends, elder and younger, } | 6000 | 0 | 0 | |
| John Caldwell laird of Caldwell, - - | 500 | 0 | 0 | |
| Zacharias Maxwell, portioner of } Blawarthill, ———— } | 1111 | 2 | 2 $\frac{2}{3}$ | |
| Alexander Porterfield of Fulwood, | 3333 | 6 | 8 | |
| Mr. James Pollock of Balgray, ——— | 833 | 6 | 8 | |

These sums, being *English* money, }
make in all, ———— } 19777 15 6 $\frac{2}{3}$

The laird of *Caldwell* and *Zacharias Maxwell* were ordered to be prisoners for life, besides the payment of their fine. They were pleased to make some abatement of the fines of the rest. Thus Sir *John Maxwell* was to pay 5000 *L.* the lairds of *Craigends* 4000; the laird of *Fulwood* 1666 *L.* 13 *s.* 4 *d.* and the laird of *Balgray* 500 *L.* sterling. The greatest crimes, for which these gentlemen were fined in this exorbitant manner, were their not attending ordinances in their own parish-church, their hearing *presbyterian* ministers, and pretended converse with rebels. It was falsely alledged that they had contributed money to the murderers of the *primate*. For the like crimes the following gentlemen were fined, viz.

| <i>Fined by the council.</i> | L. | s. | d. |
|---------------------------------------|------|----|-----------------|
| Stuart of Allantoun, ——— | 666 | 13 | 4 |
| W. Hamilton of Overtoun, ——— | 500 | 0 | 0 |
| J. Young chamberlain of Evandale, ——— | 505 | 11 | 1 $\frac{1}{3}$ |
| J. Muirhead of Bradisholm, ——— | 222 | 4 | 5 $\frac{1}{3}$ |
| Mr. J. Hamilton of Halcraig, ——— | 666 | 13 | 4 |
| Mr. A. Kennedy of Clowburn, ——— | 666 | 13 | 4 |
| Mr. J. Stuart of Hartwood, ——— | 333 | 6 | 8 |
| J. Bannantyne of Craigmuir, ——— | 111 | 2 | 2 $\frac{2}{3}$ |
| G. Hamilton of Browncastle, ——— | 111 | 2 | 2 $\frac{2}{3}$ |
| | 3783 | 6 | 8 |

Fined

1684.

| Fined by the sheriffs. | | L. | s. | d. |
|------------------------------|-------|-------|----|-----|
| Laird of Riddel, | _____ | 4333 | 6 | 8 |
| _____ of Greenhead, | _____ | 2000 | 0 | 0 |
| _____ of Chatto, | _____ | 1666 | 13 | 4 |
| Lord Cranstoun, | _____ | 1500 | 0 | 0 |
| Sir W. Scot of Harden, | _____ | 2944 | 8 | 10½ |
| Sir W. Scot of Harden, junr. | _____ | 3500 | 0 | 0 |
| Laird of Wall, | _____ | 1111 | 2 | 2½ |
| | | 17055 | 11 | 1½ |

marks. These sheriff fines were all confirmed by the council, and some of the councillors shared largely in the spoils of these constructed criminals. Sir George MacKenzie the advocate got 1500 L. of Sir William Scot of Harden's fine. The duke of Gordon and the marquis of Athole shared Sir William Scot of Harden junior's fine between them. I shall leave the reader to make his own reflections on these proceedings, when I have only observed, that none of these gentlemen had ever declared against the government that *then* was, though perhaps few had cause to stand up for it, unless it were the plunderers of those who were more righteous than themselves.

*Council's
letter a-
bout an in-
demnity.*

On the said 2d of *December* the council sent a letter to the commissioners of the several districts in the south and west shires, signifying, that, as the king had granted an indemnity on the 26th of *February* last, they thought proper to send instructions relating to it. But why no mention was made of this indemnity till now, is not to be accounted for. But the instructions concerning it rendered it altogether useless, since none were to have the benefit of it but those that would swear the oath of abjuration, and that they would never take arms against the king, or any commissioned by him, upon any pretence whatsoever. Besides, it was only to be of use to those under the degree of heritors, liferenters, &c. and vagrant preachers, by which *indulged* ministers and preachers, not licensed according to law, were to be understood; so that the instructions rendered the indemnity of *no use*.

*Council's
thanks to
judge
Jeffreys.*

On the 3d the council recommended to the advocate to return their thanks to judge *Jeffreys* for his kind concurrence with them, against those pernicious rogues and villains who disturbed the publick peace, and to desire him to order hiding and fugitive *Scotsmen* to be apprehended and delivered up, on the *Scots* border, to such as should be appointed to receive them. It cannot surprise

surprise the reader to see a correspondence between 1684.
bloody *Jeffreys* and these bloody *Scots* inquisitors; for
birds of a feather flock together.

The same day they ordered the advocate to raise a
process of forfeiture before the ensuing parliament, upon
a charge of 60 days, against the following persons, viz.
Denholm of Westshiels, Stuart of Cultnesh, Sir John
Cochran of Ochiltree, James Stuart son to Sir James
Stuart of Goodtrees, the lord Melvil, Sir Patrick Hume
of Polwart, George Pringle of Torwoodlee, Andrew
Fletcher of Saltoun, Hume of Bassenden, the heirs of
Mr. Martin late clerk of the justice-court, the heirs of
the late earl of Lowdown, Thomas Hay of Park, Sir
James Dalrymple of Stair, Walter Lockhart of Kirk-
toun, Montgomery of Langshaw, John Weir of New-
toun, Mr. Gilbert Eliot writer in Edinburgh, Campbel
of Ardkinglass, Cessnock elder and younger, and Jer-
viswood. We shall meet with them again in their pro-
per place, and find that the last mentioned gentleman
was hurried off the stage before that time; for the in-
satiable thirst of the managers for his blood must be sa-
tisfied.

On the 4th, not thinking the many commissions for-
merly given sufficient for suppressing the poor sufferers,
whom they branded with the odious names of *rogues*
and *villains*, the council constituted lieutenant-general
Drummond a justice of peace, and impowered him to
repair to the *south* and *west* shires, and hold courts of
justiciary, and to take along with him a sufficient num-
ber of the *forces*, in order to pursue and apprehend the
rebels and their *abettors*, that they may be brought to
trial, and to pass sentence upon them as he should see
cause. They likewise ordered him to quarter the sol-
diers and settle garrisons where he should find it expe-
dient, especially in *Lanerk-shire*. At the same time they
wrote to the duke of *Hamilton*, acquainting him with
all this, and desiring his grace to assemble the commis-
sioners who were proper to provide the garrisons with
all necessaries.

Besides these powers to the lieutenant-general, o-
ther commissions were given to such private persons as
would undertake them; particularly, *William Hamilton*
laird of *Orbistoun* had a commission, on the 8th of De-
cember, 'to levy 200 Highlandmen of the shire of Dum-
bartoun, and with them, or any part of them, as oft

as

Process of
forfeiture
enjoined.

Commis-
sion to
general
Drum-
mond.

To the
laird of
Orbi-
stoun.

1684. ' as our service shall require, to march into any part
 ' of these shires [*Dumbartoun and Renfrew*] and pur-
 ' sue, take, and apprehend the said rebels, and fugi-
 ' tives, &c. and their reseters, and commit them to
 ' some firmance, or ward, till they be legally tried.
 ' And, in case any of the said persons be *in arms*, re-
 ' sisting and refusing to be taken, we do hereby im-
 ' power the said *Orbistoun*, &c. to kill, wound and de-
 ' stroy them; and deliver such of these as shall be
 ' taken alive to their next commissioned officer, to be
 ' brought in prisoners to ——— *Edinburgh*. ——— And
 ' ——— we authorise the said laird of *Orbistoun*, to
 ' employ spies and intelligencers to go in company
 ' with the said rebels and fugitives, as if they were
 ' in their party, the better to discover where they haunt
 ' and are reset. — As also with full power to the said
 ' *Orbistoun*, to take and apprehend the persons of all
 ' outed ministers, who shall be found within, or resort
 ' to the said shires, and send them in prisoners to *Edin-*
 ' *burgh*, &c.

The reader may make his own reflexions here, and judge what state the shires must be in, when they were to be exposed to the discipline of *Highland* reformers. *Orbistoun* was enjoined indeed to see that his men should commit no disorders; but how these could be prevented, when such extensive powers were given, is hard to conceive.

Several
executed.

On the said 8th of *December*, George Jackson, Thomas Wood, Alexander Heriot, James Graham, and Thomas Robertson, together with Patrick Cunningham, John Watt, James Kirkwood, Alexander Valange, and James Glover, were indicted for the *apologetick declaration*, because they owned, or refused to disown, the said paper upon oath. The last five, together with *Alex. Heriot*, solemnly renounced the said *declaration* at the bar, and the process against them was dropt; but the rest were next day found guilty, and ordered to be taken that very day to the *Gallowlee*, between two and five in the afternoon, and there to be hanged.

G. Jack-
son.

George Jackson had been a considerable time in prison; and, upon being asked if he owned the *declaration*, said that he owned it as far as it was agreeable to the word of God, but allowed of *no murder*.

Thomas
Wood.

Thomas Wood was taken at the rescue of *Enterkin-path*; and being asked if he adhered to the *declaration*, answered,

ed, That he did not understand it, the clerk read it so fast; but, said they, the covenants are in it, do you adhere to these? He answered, *I do.*

James Graham, taylor in *Cornsmichael* in *Galloway*, was J. Graham. apprehended by *Claverhouse* and a party in the high-way; they had nothing to lay to his charge, but, finding a BIBLE in his pocket, they looked upon that as a *sure evidence of DISLOYALTY*. They hurried him from place to place. He was put in the irons at *Dumfries*, because he would not answer their questions. He was next brought to *Edinburgh*, where, upon refusing to declare his opinion concerning the declaration, he was condemned and executed with the rest. His testimony is in the *Cloud of witnesses*.

Thomas Robertson was imprisoned at *Newcastle* for refusing the *English oaths*. He made escape, and got to *Edinburgh*, where he was apprehended last month, and brought before the council, where he was soon ensnared by their questions. From his last testimony, which is in the *Cloud of witnesses*, it appears that he had formerly been a hearer of the *courtes*; but, upon being brought to hear one of the *presbyterian* ministers, such impressions were made upon him that he never followed them any more. He declared his adherence to the covenant of redemption, the scriptures of the old and new testament, the work of reformation, once glorious in the land, &c. and his aversion to all the defections that had been carried on for several years, and died with great peace and joy; for though he was, for some time, under fearful apprehensions of death, yet he got over all these. I need only observe, that not one of these persons could have been concerned in the *apologetical declaration*; and yet, upon that very score of refusing to disown it, they were put to death.

Two days after this execution the duke of *Gordon's Duke of* patent for being chancellor was read and recorded. *Gordon* Whether he was then a profest *papist*, I know not, but soon after he certainly was, and that set were now getting in as fast as conveniently could be done.

On the 16th the advocate was ordered to prosecute *Earl of* *Walter* earl of *Tarras* for high treason. Sometime after he had been brought in prisoner, he confessed, that, about the time *Sir John Cochran* and commissary *Munro* got their commission for the *Carolina* business, *Mr. Bailly* of *Jerviswood* told him he was going to *London*, how-
ever,

1684. ever, on his own charges; but that the *Carolina* affair was only a pretence, the true design being to press the people of *England*, who could do nothing but talk, to go more effectually about the business, and do something. He likewise confessed, that *Jerviswood* settled a correspondence with him, for giving an account of what should pass between the country-party in *England* and the *Scotsmen* there; and that *Jerviswood* told him, that the only way for securing the protestant religion, was for the king to suffer the parliament to sit, and the bill of exclusion to pass; which the king might be induced to if the parliament took sharp and brisk measures. He farther confessed, that Mr. R. Martin came to *Torwoodlee's* house in May 1683. and brought an unsubscribed letter to the lady *Tarras*, which he knew to be written by *Jerviswood* then at *London*; and that Mr. Martin told him that things in *England* were in great disorder, and were like to come to a height, and that the country-party were considering on methods for securing the protestant religion; and that the late earl of *Argyll* was to get 10,000 L. sterl. whereas our *Scots* people sought 30,000 L. which was to be sent over to *Holland* to provide arms; and the said earl was to land with those arms in the west-highlands of *Scotland*; and that *Jerviswood* was to be sent over with the money. The rest of his confession related to some discourses concerning the methods most proper to be taken for the support of the protestant religion; but nothing concerning any design upon the person of either the king or his brother. The earl's trial was put off till January next, that he might not be under sentence when brought as a witness against *Jerviswood*, whose trial was now drawing near.

Six men murdered by Claverhouse. On the 18th of December *Claverhouse* came with a party to the water of *Dee* in *Galloway*, and surprised six of the lurking people at *Auchincloy*, and ordered *Robert Fergusson* and *James MacMichan* from *Nithsdale*, and *Robert Stuart* and *John Grier* from *Galloway*, to be shot instantly. After they were buried, their graves and coffins were uncovered by a party sent by *Claverhouse*, and continued so for four days. *James MacMichan's* body was taken up and hung upon a tree. *Claverhouse* carried the other two, viz. *Robert Smith* in the parish of *Glencairn*, and *Robert Hunter*, to *Kircudbright*, summoned a sort of jury, and hanged them there. There were other

other two in company with these six; but they happily 1684. escaped. However, the soldiers being informed of a house they had gone into, marched thither, took all they found in it prisoners, and burnt the house to the ground.

I am now come to the infamous trial and execution of Mr. *Baily* of *Jerviswood*. It might have been thought, that, when he was fined in the sum of 6000 L. *sterl.* he had received his final sentence; but he was still kept shut up, and denied all attendance or assistance.

‘ He seemed all the while, says bishop *Burnet*, so composed, and even so chearful, that his behaviour looked like the reviving of the spirit of the noblest of the old *Greeks* or *Romans*, or rather of the primitive christians and first martyrs in those best days of the church; but the duke was not satisfied with all this: So the ministry applied their arts to *Tarras* and the other prisoners, threatening them with all the extremities of misery if they would not witness treasonable matter against *Baily*. They also practised on their wives, and, frightening them, set them on their husbands.’ The reader has seen the confession of *Tarras*, as far as it relates to this worthy gentleman.

Jerviswood received his indictment on the 22d of December, and next day petitioned for more time; but no regard was paid to it. He was then in a dying condition, and could not have lived many days. However, he was carried to the bar of justiciary in his nightgown, attended by his sister, who several times gave him cordials, and, not being able to stand, was obliged to sit on a stool. His indictment bore, in general, his carrying on a correspondence to debar his royal highness, the king’s only brother, from the right of succession. Though his advocates pled that he ought not pass to the knowledge of an assize, because he had not got a summons in 15 days, and so had not time to offer an exculpation or vindication, and that he had already been judged for what was contained in the indictment, yet all pleas were rejected, and he was brought to his trial. The earl of *Tarras* was admitted an evidence, though he was himself under process of high-treason. His deposition was much the same with his confession. The depositions of *Alexander Munro* of *Bearcrofts*, *James Murray* of *Philiphaugh*, *Hugh Scot* of *Gallowshiels*, are at large in the *State-trials*. They a-

1684. mounted to this, that *Jerviswood* being in hazard, as all the nation was, of oppression, after the unaccountable decision in *Blackwood's* case, went up to *London*, and conversed with several concerning what was proper for inducing the king to exclude a *popish* successor, and about sending money to *Argyll*, &c. but no design against the king's life was known to any of them. Bishop *Burnet* says 'they swelled up the matter *beyond the truth*, yet all did not amount to a full proof. So the ministry, being afraid that a jury might not be so easy as they expected, ordered *Carstairs's* confession to be read in court, not as an evidence (for that had been promised him not to be done) but as that which would fully satisfy the jury, and dispose them to believe the witnesses: But, as he had a promise that nothing he said should be brought in prejudice to any, directly or indirectly, on his trial, it must be left with the reader, whether the reading his confession, to support the evidence against *Jerviswood*, was not a breach of the conditions given to Mr. *Carstairs*. Besides, the title given to Mr. *Carstairs's* confession, viz. *The deposition of Mr. William Carstairs, when he was examined before the lords of secret committee, given in by him, and renewed upon oath upon the 22d of December 1684. in presence of the lords of his majesty's privy-council*, seems to intimate that he had voluntarily renewed his deposition on the 22d of *December*, with an eye to *Jerviswood's* trial; than which nothing is more injurious to this worthy minister. The case was this. Mr. *Carstairs*, being their prisoner, was brought to *Edinburgh* a few days before *Jerviswood's* trial, and was importuned to be a witness against his friend, which he rejected with abhorrence; and, at the same time, put them in mind of the conditions formerly granted him, and of the breach of faith in this proposal. He was next urged only to appear before the justiciary at a time when *Jerviswood* was not present, and judicially own that he had emitted the depositions signed by his own hand. This he also refused; but he was never before the council, only, when the chancellor, *Queensberry*, and some others, produced the original papers which he had formerly signed, he owned them, and at the same time reminded them of the former conditions. How then it came, that, in the foresaid title, it should be said, that he renewed his depositions *in presence of the lords of his majesty's*

p. 587.


Mr. Carstairs vindicated.

State-trials.
vol. III.
371.

majesty's privy-council, on the 22d of *December*, must be left with the reader. 1684.

The advocate, after the witnesses were examined, and Mr. *Carstairs's* confession was read, together with the examinations of Mr. *Shepherd* and Mr. *Zachary Bourn*, *Ibid. p. 374, &c.* made a most virulent speech to the jury (which the reader will find in the *Stat-trials*) wherein he aggravated every thing to the highest degree. *Jerviswood*, looking him broad in the face, appeared exceedingly troubled. When Sir *George* had done he had liberty to speak, and, among other things, said, 'There is one thing which vexes me extremely, and wherein I am injured to the utmost degree; and that is, for a PLOT to cut off the KING and his royal highness, and that I sat up nights to form a declaration to palliate or justify such a villainy. I am, in probability, to appear in some hours before the tribunal of the great Judge; and, in presence of your lordships, and all here, I solemnly declare, that never was I prompted or privy to any such thing; and that I abhor and detest all thoughts and principles for touching the life and blood of his sacred majesty or his royal brother. I was ever for monarchical government.' Then looking directly on the advocate, he said, 'My lord, I think it very strange you charge me with such abominable things; you may remember, that, when you came to me in prison, you told me such things were laid to my charge, but you did not believe them. How then, my lord, come you to lay such a stain upon me with so much violence? Are you now convinced in your conscience that I am more guilty than before? You may remember what what passed betwixt us in the prison.' The whole audience fixed their eyes upon the advocate, who was in no small confusion, and said, '*Jerviswood*, I own what you say; my thoughts then were as a private man; but what I say here is by special direction of the privy-council.' And, pointing to Sir *William Paterson* the clerk, added, 'he knows my orders.' *Jerviswood* replied, 'Well, if your lordship has one conscience for yourself, and another for the council, I pray God forgive you; I do.' Then, turning to the justice-general, said, 'My lord, I trouble your lordship no farther.

Next morning, the 24th of *December*, the jury brought him in guilty; the lords condemned him to be hanged.

1684.  hanged at the market-cross of Edinburgh, between two and four that afternoon, his head to be cut off, and fix- on the *Nether-bow-port*, and his body to be quartered; one of his quarters to be put on the *tolbooth* of *Jedburgh*, another on that of *Lanerk*, and a third on that of *Ayr*, and the fourth on that of *Glasgow*, &c. When the sen- tence was passed, he said, *My lords, the time is short, the sentence is sharp; but I thank my God who hath made me as fit to die as ye are to live.*

His behi-
viour and
execution.

He was then sent back to his apartment in the prison, and, leaning on the bed, he fell into a rapture of joy at the assured prospect of a blessed eternity. And being asked, after a short silence, how he did, he answered, *Never better; and in a few hours I shall be well beyond all conception. They are going to send me, in pieces and quarters, through the country. They may bag and hew my body as they please, but I know assuredly nothing shall be lost; but all these my members shall be wonderfully ga- thered, and made like Christ's glorious body.* He was not able to go up the ladder without support. When on it he began to say, *My faint zeal for the protestant religi- on hath brought me to this; but the drums interrupted him.* My author was told that his quarters lay three weeks in the *thieves hole* before they were disposed of according to the sentence.

Sum of
his last
speech.

He prepared a speech to be delivered at the scaffold, but was hindered; however, he left copies of it with his friends. My author has inserted it. He solemnly declared that he was never conscious to any conspiracy against the life of the king or the duke, or to any plot for subverting the government; and that he never had any other intention, in all his publick appearances, but the preservation of the *protestant* religion, the safety of the king's person, the continuation of the ancient go- vernment, the redressing of grievances, the relieving the oppressed, and putting a stop to the shedding of blood. In short, it breathes a spirit of true piety; he declared he died a member of the church of *Scotland*, in its *best* and *purest* times under *PRESBYTERY*, and a hater of *popish* idolatry and superstition. He expressed his fears that *popery* would be just ready to break in upon us. 'It seems, says he, the generation is fitted for it, and all the engines of hell have been made use of to de- bauch the consciences of people.—Men are com- pelled to take *CONTRADICTORY oaths*, that they may believe

'believe things that have a contradiction in them.' 1684.
 And, after bewailing the sad case of the church of Scotland at that time, he concluded with these words, 'I go with joy to HIM who is the joy and bridegroom of my soul, to HIM who is the saviour and redeemer of my soul. I go with rejoicing to the God of my life, to my portion and inheritance, to the husband of my soul. Come, LORD.'

Thus, says the historian of his own times, 'a learned and worthy gentleman, after twenty months hard usage, was brought to such a death, in a way so full, in all the steps of it, of the spirit and practice of the courts of *inquisition*, that one is tempted to think that the methods taken in it were suggested by one well studied, if not practised in them. The only excuse that ever was pretended for this infamous prosecution, was, that they were sure he was guilty, and that the whole secret of the negotiation between the two kingdoms was trusted to him; and, since he would not discover it, all methods might be taken to destroy him, not considering what a precedent they made on this occasion.' But I must now go on to other things.

The same day that *Jerviswood* was executed the lady *Lady Cavers* was ordered to be released upon paying her fine. This excellent lady had now been in prison above two years for *non-conformity*; and, had it not been for her son who came home this year, she had still continued in confinement. The treatment her tenants met with, during her imprisonment, rendered them incapable of paying her any rent; so that she was deprived of the use of any means for her livelihood or subsistence, though she had a small numerous family. She had represented her case in a humble and moving petition to the council; but they paid no regard to it, till her son, Sir *William Douglass* of *Cavers*, presented another petition, praying that she might be suffered to come to her friends and relations; and that they would receive him as bail for her living regularly, or, within three months after the date of her liberation, depart the kingdom, and not return without special allowance. They gave orders for her being set at liberty, but would not part with her extravagant fine. I need make no reflexions on this.

The

1684. The same day Mr. George Scot of Pitlochrie was let out of the *Bast*, upon promise to go to the plantations. The occasion of his being imprisoned there I know not. We shall meet with him again next year. Lady Colvil was the same day allowed a better room in the prison, to which she had been confined for refusing to pay an extravagant fine.

Scot of
Pitlochrie
released.

At last, on the 30th of *December*, the council published a proclamation against the *apologetical declaration*. The tenor of which is as follows: viz.

‘ *CHARLES, &c.*

Procla-
mation
against the
apologe-
tical de-
claration.

‘ *FORASMUCHAS* several insolent and desperate REBELS, having frequently refused the reiterated offers of our clemency, have of late associated themselves, under a pretended form of government, in societies, fellowships, &c. and have, in their meetings, at last pulled off the mask under which they formerly endeavoured to disguise their BLOODY and execrable principles, and——declared, in a late treasonable paper,—intituled, *The APOLOGETICAL, &c.* that they have disowned us and our authority, and have declared war against us, and from that do infer that it is——a duty to kill and murder all who do any manner of way serve us, or bear charge under us, &c. Therefore we, with the advice, &c. do hereby ordain, that whosoever shall own the said most execrable——declaration, or assassinations therein mentioned, and the principles therein specified, or whosoever shall refuse to disown the same, in so far as it declares a war against his sacred majesty, and asserts that it is lawful to kill such as serve in church, state, army and country, shall be tryed and executed to the death. And farther,——we command all our good subjects——besouth the river *Tay*, that they be ready to concur with our magistrates, &c. in seeking, searching, &c. and——do their utmost endeavour to seek——and apprehend any that shall own the said *apologetical declaration*,——or refuse to disown the same.——And since these rebels, after declaring their *bellish* intentions, for the better performance of their mischievous designs, lurk in secret, and are never discerned but in the acts of their horrid assassinations, and, passing up and down among our loyal subjects, take an opportunity to murder and assassinate——

‘ Therefore,

Therefore, as a remedy for these inconveniencies, we 1684.
 declare it to be our royal will and pleasure, — and
 we hereby command all heritors, &c. and, in their
 absence, their factors and chamberlains, to convocate
 all the inhabitants on their lands, — and to bring
 them before any of our privy-councillors, or our
 commissioners appointed by our council, &c. and
 the master and all the inhabitants shall, in solemn
 manner, in presence of the said commissioners, take
 the following oath, viz. *I A. B. do hereby abhor,* The oath
renounce, and disown, in presence of the Almighty God, of abjura-
the pretended declaration of war lately affixed at seve- tion.
ral parish-churches, in so far as it declares a war against
his sacred majesty, and asserts that it is lawful to kill
such as serve his majesty in church, state, army, or coun-
try. And such as can subscribe are to subscribe the
the same; and, on performance thereof, the said
commissioners are hereby ordained to deliver to every
such person a testificate; — which testificate — is
to serve for a free pass to all who have the same, —
and shall preserve them from all molestation; —
certifying hereby all such as shall adventure to travel
without a testificate, — that they shall be holden
and used as communers with the said execrable rebels,
&c. — And if any heritor, &c. shall fail in
doing as aforesaid, they shall be holden as guilty of
the foresaid crimes, and pursued and punished accor-
dingly. And we do hereby strictly prohibit and dis-
charge all our lieges, whether in burgh or land, as
well all other house-keepers as hostler-houses, inn-
keepers, and other houses of common reset, to har-
bour, lodge or entertain any person whatsoever un-
less they have such certificates, — under the pain
of being punished as resetters of and intercommuners
with rebels. And, for farther security, and preven-
tion of fraud, it is hereby required that the users
and havers of the foresaid testificates shall be holden
and obliged to swear that these testificates are true
and unforged testificates, and that they are the persons
mentioned and expressed in them, if the same shall be
required of them. And, finally, for the encourage-
ment of such as shall discover any of the said traitors
and assassins, or any who have been any ways in ac-
cession to the said traitorous and damnable paper, or
to the publishing or spreading of the same, as said is,
 or

1684.

w

‘ or to have been a member of the said pretended societies or fellowships, &c. we hereby declare and insure to them, or any of them—a reward of the sum of five hundred merks Scots for each of them who shall be discovered, so as to be apprehended and found guilty.’

Remarks.

The narrative of this monstrous proclamation is full of abominable lies and horrid misrepresentations; For here, with the utmost virulence, they charge these people with maintaining the *principles* of ASSASSINATION; whereas, in the very declaration itself, they declare their abhorrence and detestation of such things. They represent them as having associated themselves under a pretended *form of government*, which was absolutely false; and my author says, that he was apt to believe that some of the managers knew other things, though they spoke thus. They represent them as having refused reiterated offers of *clemency*; whereas it is well known that they never had any offers of clemency made them, but upon the condition of *wilful perjury*. As for their declaring against the king, was there not a cause, as has been already observed? The war mentioned was, as themselves explain it, not a declared insurrection with hostile force to break the peace of the nation, (*that* had been done by the introduction of abjured *prelacy*, and the persecution that necessarily followed upon it) but an avowed and constant opposition to the *murdering violence*, injustice and oppression of the FACTION then in *power*. Let any of us imagine ourselves in their circumstances, hunted as partridges on the mountains, killed all the day long, and suppose, in such a situation, we should emit a *declaration*, warning our bloody persecutors either to desist from their persecution, or to expect that, as far as we are able, we will prevent the shedding of our own blood, by bringing them to punishment, let the reader judge whether *that* could be condemned; and this was the case with these people, and the state of all the war they declared. And, when we farther consider that none could disown the declaration without approving the cruelties exercised on the declarers, it is not to be wondered that many stood out. Besides, they looked upon the OATH OF ABJURATION, imposed by this wicked proclamation, in every respect unlawful, because the declaration required to be *abjured* asserts no such thing as is represented;

presented; and therefore, to swear to abhor, renounce, and disown it, in so far as it declares it lawful to kill all who serve the king in church, state, army or country, when no such thing is asserted, must needs be to swear a *falsehood*. They who took this oath thereby incorporated themselves with the bloody imposers of it, condemned the sufferers, and justified the cruel persecution that was carried on against them, as if they were *murderers* and *assassins*; whereas, in their *declaration*, they were so far from owning it lawful to kill all employed in the the king's service, in church, state, army or country, that they testified to the world that they purposed not to injure or offend any whatsoever, but such as were directly accessory to the murder of their brethren; nay, they expressly distinguished from others the notorious villains among them, *men of death and blood*, who had *actually shed their blood*, and gloried in it; and these they farther divided into several classes, according to the respective aggravations of their wickedness. In the first they placed the *cruel and bloody* of those that murdered by command. In the 2d they threatned such as were actually in arms against them, and not all of these either, but such as cruelly performed that service to the *effusion of their blood*. Neither did they threaten all equally, nor any of them peremptorily, but only if they *persisted* maliciously to proceed against them after the publishing of their *declaration*. In a word, they expressly declared their abhorrence of all personal attempts whatsoever, and prohibited the execution of any part of what they threatned, without previous deliberation, common or competent consent, &c. All which being considered, the question will be, how far they asserted it lawful to kill all who served the king in church, &c. If no such thing is asserted, why such a clause in the oath? I shall only add, that, if these people were such *assassins*, why would they make their design of assassination *publick*? for, if I mistake not, assassins do not give warning of their intentions, but keep their designs *secret* till they find an opportunity to put them in execution. I shall say no more upon this point, but refer the reader to the *Hind let loose*, from p. 537. to p. 557. Though these people, in their *declaration*, abhorred assassination, as all good men should and certainly will, yet this *proclamation* made way for many *assassinations* and murders,

1684. as shall be related: For here all must not only take the oath of abjuration, but have a certificate of their having done so; nay, they must swear that their certificate is genuine, whenever called to it, though by an *hostler* or *stabler*. But to proceed.

Commis-
sion for
holding
courts.

The same day the above proclamation was published the council gave a commission to several noblemen, gentlemen, and others, for holding courts in the *southern* and *western* shires; and these may justly be called courts of *inquisition*, as is evident from the instructions given to the commissioners, who were thereby empowered and required to examine all in every parish, upon oath, with respect to the questions contained in their commission, and secure those who refused to answer, and to give *passes* or *certificates* to such as disowned the horrid principles, those, *viz.* contained in the *declaration*. But if any *owned* these principles, or refused to *disown* them, they were immediately to be judged, and, being found guilty, to be presently *hanged* on the place: 'But, say the instructions, at this time you are not to examine any *women* but such as have been active in the said courses in a *signal* manner, and those are to be *drowned*.' I shall not trouble the reader with the rest of the instructions: From these he may easily form a judgment concerning them. Upon the whole, it is evident there was now no peace to him that went out, nor to him that came in, without *conforming* to the times, of which the following is a sufficient instance.

Cruelty to
a poor
woman.

On the last of *December* a poor man, in the parish of *St. Mungo*, was taken out of his bed, by captain *Dalziel*, for not hearing the curate; and, upon his refusing the *test*, was imprisoned at *Dumfries*, and threatened with death. He broke prison and fled to *England*. His wife and seven small children begged their way after him, but, the persecution being hot there, she was forced to return. While sitting peaceably in an ale-house, *Westeraw* and other persecutors came in and required her to take the *test*, and, upon her refusing, committed her to prison at *Dumfries*, and though she only begged they would allow her to take her sucking child along with her, (an infant of a quarter old) yet that was rejected; nay, they desired her to prepare for death, unless she complied by next day, when they threatened to *drown* her. Next morning being asked if she

she would swear, she said she would not. Being farther asked if she approved of murder, she answered, *She did not; it was not their sort who were murderers.* However, they were restrained from putting her to death; but she continued five weeks in prison at *Dumfries*. Providence took care both of the sucking infant and of the six other children, though they were banished the town. In short, the mother was at last sent prisoner to *Edinburgh*, whither her children followed her; and the council, for once, put on so much good nature as to release her. I shall conclude this year with some particulars of which I have not the dates.

This year Mr. *Adam Blackadder*, son to Mr. *John Blackadder*, and his wife, a young gentlewoman whom he had married in *Sweden*, were brought to trouble. Before this, when he was about 17 years of age, he endured a five weeks imprisonment at *Stirling*, because his master was alledged to have been at *conventicles*. He was afterwards imprisoned at *Blackness* for waiting on his father.

John Linning dyer in *Glasgow*, tho' blind, was this year imprisoned 14 weeks, as he had frequently been before, for nothing but non-conformity. When a child of his came to be on her death-bed, and passionately cried out for her father, such was the unrelenting cruelty of the magistrates, they would neither suffer him to see her when dying, nor attend her funeral when dead.

John Carsan of *Balmangan* was imprisoned, for refusing the bond of regularity, for nine months, during part of the last year and this, and fined in 6,000 merks. His lady was imprisoned by colonel *Douglas*, and, for refusing the *abjuration*, received an indictment; and it was given out that they intended to sentence her to be drowned within the sea-mark at the ferry at *Kirkcudbright*; but the king's death put a stop to this and some other processes of the same nature.

Several other instances of the severity of this year might be mentioned, as the scourging of a poor old woman of 73 years of age, the great hardships of lady *Gillespie*, by the depredations of soldiers, and being forced to leave her country, and flee to *Ireland*, &c. and the hardships endured by *Charles Stuart* of *Knock*; but these I pass over.

The scene of cruelty, oppression and blood continued through the whole of the year 1685. The powers granted to the soldiers, and the *abjuration-courts*, produced

1684.

Adam Blackadder.

J. Linning imprisoned.

J. Carsan of Balmangan.

Other instances of severity.

General account.

1685. duced dreadful effects. Multitudes were cut off every month without the tedious formality of a process. Hanging, heading, drowning, torturing, and many other methods of cruelty were used. Before I come to relate things in the order of time, I shall give some instances of severity in pressing the *abjuration* oath.

J. Corbie's ears
cropt.

In the parish of *Nithsdale*, *James Corbie*, for refusing the *abjuration*, had his ears cropt, and was sold for a slave to *Jamaica*. The cropping of ears is a new punishment. We shall have more instances of this by and by. The *abjuration* was violently pressed upon all ranks, sexes and ages, by the commissioned courts in *Dalry* and other parts of *Galloway*, and through the large shire of *Ayr*.

Cruelty
to a
servant-
maid.

One *William Johnston*, of the parish of *Auchinleck*, was summoned to one of these courts, and, not appearing, a party of soldiers was sent to his house, who plundered it; and, as he and his wife had retired, took away with them the maid who was left to take care of the children, leaving the destitute infants by themselves, and, because she refused the oath, which she had told them she did not understand, they put firey matches between her fingers, and burnt the flesh to the bone. Her patience and composure so astonished her tormentors, that they thought proper to dismiss her.

Shire of
Lanerk
oppressed.

The shire of *Lanerk* was grievously harrassed by the soldiers and these *abjuration*-courts. Women were carried from prison to prison, families were dispersed, several were banished, as *J. Harvey*, *Walter Ker* and *Andrew MacKillen* in the parish of *Dalsersf*. One *John Stuart*, in the same parish, had his wife carried prisoner to *Hamilton*, with a child not a month old, where she fell so ill with travelling so far in her condition, that she was left for dead, because she did not appear, and refused the oath. Some were killed on the spot, as a poor man in the parish of *Twinham*, who was shot by order of captain *Douglass*, because he would not answer their questions. Some were sent to the plantations, others to *Dunhotter*, and not a few continued in prison till the toleration granted two years after this. The parish of *Tongland* was greatly oppressed by lieutenant *Livingstone*; for, after the courts had been held there for pressing the oath, searches were made for the recusants, and one *John Hallome*, a youth of 18 years of age, was seized on the road, carried from place to place, and at last to *Kirkcudbright*, where, upon refusing the *abjuration*,

a jury

a jury of soldiers was called, and the young man presently executed. Every person who endeavoured to ¹⁶⁸³ ~~save~~ these parties was looked upon as guilty, and immediately dispatched. *William Guthinleck*, in the parish of *Buttle*, happened to fall in with a company of *Douglafs's* foot, who ordered him to stand. The man complied with every thing; but not caring to lose his horse, which he suspected the soldiers had a mind for, he rode as fast as he could from them, and, fetching a compass, got to a publick house called *Carlin-work*, where he took a refreshment on horseback, thinking he was out of their reach. Mean while some of them came up and shot him.

The conformable clergy were not wanting at this time ^{Finnie} to promote these cruelties. Thus one *Finnie*, curate of *Cuthcart*, informed against *John Watson*, a beggar in that parish, as a dangerous person, because he would not hear him, nor take the *abjuration-oath*, and got him apprehended by a party of lord *Ross's* troop. When they found him in his cottage, and saw he was neither able to flee from them, nor travel with them, being a poor cripple, they cursed *Finnie*, who had hounded them out after such a prey. They urged him hard to take the *abjuration*. *John* told them that it was now long since he swore the COVENANT, and was resolved to swear no more oaths. In short, lord *Ross*, getting notice of this affair, blushed for the curate, sent the poor man half a crown, and ordered him to be dismissed. ^{the curate's malice.}

While the soldiers were almost every week murdering in the fields, the commissioners above mentioned, or any two of them, had the power of life and death in their hands, and even exceeded their instructions: And it is remarkable, that all these methods of barbarity were so far from lessening the number of the sufferers, that the more they were persecuted, the more they increased; but I shall now relate things more distinctly in the order of time when they happened. ^{Sufferers increased.}

On the 2d of January, *Andrew MacGill*, son to *John Andrew MacGill* in the parish of *Buthenrae* in *Ayr-shire*, having ^{MacGill executed.} been apprehended on the last of December, was executed at *Ayr*, and soon after his father's house was plundered by colonel *Douglafs*. I shall only observe that the old man and his other son suffered greatly.

On the 5th the process against the earl of *Tarras* came ^{Earl of} on before the justiciary. It was delayed till now, that ^{Tarras} he ^{condemn-} ed.

1685. he might be an evidence against *Jerviswood*. He was this day indicted upon the grounds mentioned in his confession. Next day the jury brought him in guilty of treason, and the lords condemned him to be executed as a traitor; however, he afterwards got his life, and was allowed by the council to go to the country for his health, upon a bond to appear when called.

Letter
from the
king.

On the 7th a letter came from the king, ordering those gentlemen mentioned p. 259. except *Jerviswood*, who was executed, to be prosecuted before the ensuing parliament, which was appointed to sit down on the 10th of *March* next.

Commis-
sion from
the north.

Next day the council wrote to the bishop of *Moray*, signifying that they had granted a commission to the earls of *Errol* and *Kintore*, and *Sir George Munro of Culrain*, to prosecute all persons guilty of church-disorders between *Spey* and *Ness*, including *Strathspey* and *Invernethy*, and recommending to him to enjoin all the ministers in these bounds to attend the said commissioners on the 22d of *January* next, along with their elders, and lists of persons guilty of these disorders, or suspected of being disaffected to the present established government in church and state. Lord *Duffus*, with the militia troops, was ordered to attend them; for nothing could be done without *MILITARY apostles*. On the 9th of *January* their commission was extended to *Inverness*, *Ross*, *Gro-marty* and *Sutherland*; for the banished ministers, and others, after the first introduction of *prelacy*, and those of late who were banished by the high commission, together with the labours of messrs. *MacGiligen*, *Hog*, and others, were so successful, that not a few in these northern parts were enemies to *prelacy*: But these must now be persecuted. We shall relate some of the consequences of this commission when they give in their report to the council.

Procla-
mation of
the magi-
strates of
*Edin-
burgh*.

On the same 9th of *January* the magistrates of *Edinburgh*, in prosecution of an act of council, issued a proclamation, requiring all heritors, liferenters, factors, &c. to give in, upon oath, exact lists of all the inhabitants of the city; and particularly masters and mistresses of families were hereby enjoined to give in lists of all their children above 16 years of age, and of all who had lodged with them since the beginning of last *November*. This was hard upon the keepers of publick houses, who might perhaps have different lodgers every night; but the

the design of this was to prevent the sufferers from having any shelter; and it is not unlikely that the same method was used in other considerable towns: How far this was an encroachment on the liberty of the subject must be left with the reader. But what by the garri- sons, and what by the strict searches which were made, it is but too evident that the managers relied little upon that.

It was at one of these searches that *Thomas Jackson*, T. Jack- in the parish of *Eastwood*, who had returned from ban- ison ba- nishment, was taken in *Glasgow* by major *Balfour* and nished. colonel *Buchan*. Making some resistance he was dread- fully wounded in the head, and immediately carried to the *Green* and ordered to be shot; but that no ways moving him, and the persecutors changing their resolu- tion, he was sent to prison, and from that to the *thieves- hole* at *Edinburgh*, where he was 32 weeks loaded with irons. He was at last banished to *New-Jersey*, but died in the passage.

On the 11th Mr. *Alexander Shields* was apprehended in *London*, with several others, at a private meeting in *Gutter-lane*, by the city-marshal, who came upon them unawares, and commanded them to surrender in the king's name. Mr. *Shields*, being the first in his way, replied, *What king do you mean? By whose authority do you disturb the peaceable ordinances of CHRIST? Sir, you dishonour your king in making him an enemy to the worship of God.* At which the marshal said he had other business than to stand prating with him. Mr. *Shields* made an attempt to escape, but was not able to do it; so that he and his companions were brought before the lord mayor, who threatened to send him to *Bridewell* for not giving him a distinct account who he was. How- ever, bail was offered and admitted for him to answer at *Guildhall* on the 14th. It was with difficulty he was prevailed with to give in bail.

On the 14th he attended with a firm resolution to answer, but while he went out for a refreshment he was called, and, none answering for him, his bail-bond was forfeited. This gave him no small uneasiness. How- ever, to prevent his bail coming to any harm, he appear- ed at *Guildhall* on the 20th, when he was arraigned in common form, and then examined whether he was at *Bothwell*, or approved of *Sharp's* death, or thought it was murder. To which he replied, That he was not ob- liged

Mr. Shields apprehended. See the relation of his sufferings, printed 1715.

1685. bliged to give any account of his thoughts; and that he came there to answer to his indictment, and not to such questions as these. Upon which he was taken to *Newgate*, without any *mittimus*, or any express orders from the court what prison he should be committed to. He tryed in vain to make his escape. It was some days before his *mittimus* came, by which he was ordered to be kept in custody till the next quarter-sessions, which was to be at *Guildhall* on the 23d of *February* next. But to return to *Scotland*.

On the 17th of *January* the council ordered the advocate to pursue the parishoners of *Anwoth* for affronts done to their minister, and the parish of *Carfphairn* for the murder of their minister by some skulking rebels.

Murder of the curate of Carfphairn. Mr. *Peter Peirson* curate of *Carfphairn* was a violent instigator of the persecution, and an open favourer of popery. About the end of the last year some of the wanderers entered into a combination to concert measures to force him to give a declaration, under his hand, obliging himself to desist from his violent courses, and from exciting their enemies against them, but without any design to injure his person. Accordingly *James MacMichael*, fowler to the laird of *Maxwelltown*, *Roger Padzen*, *Robert Mitchel*, *William Herron*, and, according to other accounts, one *Watson*, and some more, having notice that *Peirson* was at home, came to the mansion-house, and sent those above mentioned to desire him to speak with some who were to do him no harm. Two of them, it seems, got in and delivered the message, which so enraged him, that he drew a broad-sword, cocked a gun or pistol, and got between them and the door: Upon which they called out, and *MacMichael* and *Padzen* came and knocked at the door. *Peirson* opened it, and, going to attack them with arms, *MacMichael* shot him dead on the spot. The rest, at some distance, hearing a noise, ran up and cried, *Take no lives*; but it was too late. Therefore, from a detestation of this fact, they separated themselves from these mentioned. And so far were the publishers of the apologetical declaration from countenancing any thing that had the appearance of assassination, that they discharged all the above mentioned persons from their societies, and would never be seen in their company; and it was likewise the abhorrence of all the rest of the presbyterians.

presbyterians. *Mitchel, Heron and MacMichael* were 1685, all of them killed one way or another this year. *Wat-son* was one of the government's spies, and *Padzen* was admitted after this to serve the king in *Strachan's* troop of dragoons; so that some were of opinion that the hand of *Joab* in this matter; but this I must leave with the reader.

On the 19th *Robert Miller* mason in *Rutherglen*, and *R. Millar Robert Pollock*, called in the registers shoemaker in *Glasgow*, but, by other accounts, in the parish of *Kilbryde*, were sentenced by the justiciary, merely for not disowning the declaration, to be hanged on the 23d. They both suffered accordingly at the *Gallowlee*, between 8 and 9 in the morning. Their last testimonies are in the *Cloud of witnesses*; from which it appears that they had sublime thoughts of Christ, counting all things but loss and dung in comparison of him; that they were no ways afraid of dying for his sake, and that they were full of that comfort and joy which no stranger can intermeddle with.

The same day they were executed, *James Dun, Robert Dun, Alexander MacAulay, Thomas Stevenson, John Mac-Clude, and John Stevenson*, being at prayer in the *Cal- dunes*, in the parish of *Monigaff* in *Galloway*, were surprised by colonel *James Douglass*, lieutenant *Livingstone*, and cornet *Douglass*, with a party of horse, and, without any process, were shot to death.

On the 26th *Sir Patrick Hume of Polwart, George Pringle of Torwoodlee*, and *Mr. Fletcher of Saltoun*, were prosecuted before the justiciary, and, not appearing, were forfeited; and, on the 28th, the council gave orders to secure their lands and effects for the king's use. The appearances of these gentlemen against a popish successor was all their crime. *Polwart* survived this black period, and was made earl of *Marchmont* after the revolution, and had the honour of being an active instrument in securing the protestant religion from the designs of the adherents to a popish PRETENDER. *Mr. Fletcher of Saltoun* was likewise justly esteemed a brave patriot for the religion and liberties of his country, and a gentleman of a polite taste and great learning.

Mr. Pringle of Torwoodlee, notwithstanding all his service to the king against *Cromwel*, underwent a series of troubles in this period, especially after the escape

1685. of *Argyll*, when he was obliged to keep himself as retired as possible. Last summer he was fined in 2000 *L. sterling*. When the pretended plot was trumped up, *Mr. Pringle* was sought for as concerned in it; but, by means of information from *Meldrum*, he escaped. Eight days after his escape a party came to his house, and seized his son, a youth of about 16 years of age, and carried him to prison at *Edinburgh*, where he was confined for above three months, though no crime was laid to his charge. At length, the prison being crowded, he was admitted to bail for 5000 *L. sterling*, tho' still confined to the liberties of *Edinburgh*. Two months after this he was ordered to attend the secret committee, where the duke of *Queensberry*, the lord high treasurer, threatened him with having every bone of his body broken, every joint disjointed, his flesh ripped up, and boiling oyl and lead poured into him, if he did not acquaint them who informed his father of the party's coming, and the executioner was accordingly brought: But, upon second thoughts, his punishment was turned to a three or four weeks close imprisonment in the castle of *Edinburgh*. When that was expired he was again admitted to bail as above. Mean while his father was forfeited, and his mother denied the liferent that was due to her by her contract of marriage. After the miscarriage of *Argyll's* attempt *Torwoodlee* escaped again to *Holland*; and his son, notwithstanding his bail, was searched for a second time; but he surrendered himself, and was confined to the castle of *Blackness* for other three months, and was barbarously used by *Livingstone* of *Badlormie* the governor. In short, the whole of this family was now involved in trouble by those cruel oppressors; but his lady's courage and piety, her serenity and evenness of temper, under all these hardships, were very remarkable. This worthy gentleman died in *July* 1689. and his lady survived him a year and some months. He served his country in the convention of estates called by the great *PRINCE of Orange*, and, with his colleague *Sir William Scot* of *Harden* younger, voted the offer of the crown to his highness and his excellent princess. But to return.

Daniel
Mac-
Michael
murdered.

On the 30th *John Dalziel* of *Kirkmichael*, and lieutenant *Straiton*, with a party of 50 soldiers, surprised some of the hiding people asleep in the parish of *Mer-*

town in Nithsdale. They all escaped except Daniel MacMichael, who, being under bodily indisposition, was unable to flee. The soldiers wounded him, and carried him that night to the parish of Durisdeer. After many questions, which he declined to answer, he was told, that, unless he owned the government in church and state, and swore the oath they were to tender to him, the law made him liable to death. Daniel said to the captain, *Sir, that is what of all things I cannot do; but very chearfully I submit to the Lord's disposal as to my LIFE.* The commander said, *Do you not know your life is in my hand?* Daniel replied, *No, Sir, I know my life is in the Lord's hand, and, if he see good, he can make you the instrument to take it away.* Then he was ordered to prepare for death next day; to which he answered, *If my life must go for his cause, I am willing, my God will prepare me.* His joy and consolation were such that night, that impressions were made on some of the soldiers, who desired to die his death. Next day he was brought to the fields at Dalveen, in the parish of Durisdeer. He had liberty to pray, a favour refused to many sufferers in this period. He prayed to the admiration of all that heard him, sung part of Psalm xlii. read John xvi. and spoke with much gravity and solidity to captain Dalziel. When the napkin was put over his face, he said, 'Lord, thou brought Daniel through many streights, and has brought me thy servant hither to witness for thee and thy cause; into thy hands I commit my spirit, and hope to praise thee through all eternity.' Then, upon his giving them a signal, he was shot by four who were appointed for the purpose. His carriage struck a terror on the soldiers who obeyed the bloody orders; but a little money, and some more ravages, stifled their convictions. He lyes buried in the church-yard of Durisdeer.

Some time in January captain Bruce came with a party to the house of Thomas MacHassie, in the parish of Straitoun in Carrick; and though the good man was ill of a fever, yet, because he declined their questions, and refused the abjuration, they took him out and shot him directly.

The month of February, I am now entering upon, John was very bloody. We have but few instances of the proceedings of the commissioned courts for pressing the abjuration.

1685.

T. MacHassie, &c. murdered.

Park and J. Alexander executed.

1685. *abjuration.* On the first of this month *John Park* and *James Algie* in *Eastwood* were apprehended, and on the 3d brought before the lord *Ross*, the laird of *Orbistoun*, and others, the commissioners for the shire of *Renfrew*, by whom they were condemned, and ordered for execution that *same day*. And though they were prevailed with to consent to take the oath of *abjuration*, yet *Orbistoun* told them, *The abjuration-oath shall not save you; unless you take the test you shall hang presently.* To which the two young men answered, *If, to save our lives, we must take the test, and the abjuration will not save us, we will take no oaths at all.* Upon this they were sentenced to die presently, and were accordingly executed at *Paifley*, where they ly buried. The said *Orbistoun*, after sentence was passed, gloried in his wickedness, and said to some of his attendants, *They thought to have cheated the judges, but, by —, I have tricked them.* And such was the madness of the soldiers, that they endeavoured to force those who were at their burial to declare that they died justly, and threatned them with present imprisonment if they did not. A piece of barbarity peculiar to this period!

Case of
Robert
King,

While these two youths were hanging, *Robert King* miller at *Pollock-shaws*. in the same parish of *Eastwood*, was before this commission-court. He declined answering their questions. At last the *test* was put to him, which he refused. Upon which they bid him look upon these two who were hanging before the window, and assured him, that, if he took not the *test*, he should be immediately tyed up with them. To terrify him into a compliance, he was shut up in a corner of the prison, and assured that he had but an hour to live; that they would give him three warnings by sound of trumpet, and if he sat the third there was no mercy for him. *Robert* sat the two first sounds, but his courage failing him he took the *test*: However, says my author, it pleased God to give him repentance not to be repented of, and he lived till a good old age. His wife *Janet Scoular* bore all the losses her husband sustained, in this period, with uncommon firmness and patience.

And of
other pri-
soners:

On the 5th of *February* the council released some prisoners who had taken the *test*, and others, not under sentence of banishment, who would take the oath of allegiance. They referred the case of *John Mosman* of *Caldermuir* to the justiciary, because of a seditious letter found

found with him, and of his not *abjuring* the late *declara-* 1685.
tion. They likewise ordered *Quintin Dick, Robert Slofs,*
Duncan Fergusson, Mr. William Wisbart, Mr. George Room,
and several others, to be sent to the plantations; but
the king's death, happening at this time, altered their
measures with respect to sundry of these persons.

For, on the 6th of *February*, king CHARLES II. *The king's*
died. There were, says bishop *Burnet*, very many appa- *death.*
rent suspicions of his being poisoned, and several looked
upon his BROTHER as privy to it. But, not to enter
upon that point, I shall only observe, that before he
died care was taken to administer to him the three
popish sacraments of *penance, extreme unction,* and the
eucharist; which he received by the hands of father
Huddlestone a *Benedictine* monk. As for the character of
this prince, of which a great deal is said by the histori-
ans of his reign, I shall only say, that, if he was possessed
of any good qualities, his dissimulation and hypocrisy,
his horrid perjury, his wickedness and prophaneness,
threw a gloomy and black vail over them. Some have
cried him up for a prince of a merciful disposition; but,
if any regard is to be paid to the bishop of *Salisbury's*
judgment, we must have other thoughts of him. His
words are these, 'He had an appearance of gentleness p. 612.
' in his outward deportment; but he seemed to have no
' bowels nor tenderness in his nature; and in the end
' of his life he became cruel.' In short, the best way
to judge of his character, is to consider the history of
his reign,

C H A P. XII.

*Of the accession of king JAMES VII. the proceedings of
the council and justiciary; the murders in the fields;
the unsuccessful attempt of the earl of Argyll; the suf-
ferings of the prisoners sent to Dunnotter; the attings
of the parliament; the drowning of two women, and
other branches of oppression to the end of the session.*

THE duke of York, a few hours after his brother's *Duke of*
death, was proclaimed king in London, by the *York*
name of JAMES II. Bishop *Burnet* says, It was a *proclaim-*
heavy solemnity; few tears were shed for the former, *ed.*
nor were there any shouts of joy for the present king.

1685. A dead silence, though without any disorder, followed it through the streets.

His declaration to the council.

When the councillors returned, the new king, in his speech, promised to follow his brother's example, especially in that of his *great clemency and tenderness to his people*, and to preserve the government, both in church and state, as by law established; and, as he would never depart from the just rights and prerogatives of the crown, so he would never invade any man's property. These were fine promises; but it is well known they were only made to be broken, though he renewed them to the parliament. As to his going publickly to *mass*, his continuing the duties and customs before they were granted by parliament, his publishing that the late king died a *papist*, &c. I must refer to the *English* historians.

His taking the English coronation oath.

Though JAMES was a professed *papist*, yet care was taken in *England* that he should take the *English* coronation-oath, but with *what alterations* I cannot determine. Unfair dealing was suspected; and my author tells us, that the lord chief baron *Aitkins*, upon no less occasion than his administering the oaths to Sir *William Ashurst* lord mayor of *London*, 1693. publickly asserted, 'That, as alterations were made by bishop *Laud*, in striking out those words, which were a part of the old *English* coronation-oath, *that the king should consent to such laws as the PEOPLE should chuse*, when he crowned king CHARLES I. so at the coronation of the late king JAMES II. there was much more struck out of the coronation-oath, which might be well worthy inquiring how it came about.' *Echard* says, this was an aspersion cast upon *Sancroft* by the lord chief baron; but the reader is to judge, whether it is probable the chief baron would have expressed himself in such a manner, upon so publick an occasion, if he had not had sufficient grounds for what he said.

Never took the Scots coronation oath.

But the king never took the *Scots* coronation-oath. This, abstracting from his religion, made many call his right to govern in question, and made his forfeiture quite easy to the convention of states in *Scotland*, April 11th, 1689. so that they very justly declared as follows. 'Whereas king JAMES VII. being a professed *papist*, did assume the regal power, and acted as king, without ever taking the OATH required by law, whereby every king, at his access to the government, is obliged

‘ bliged to swear to maintain the protestant religion; 1685
 ‘ and to rule the people according to the laudable laws;
 ‘ &c. that by all this he hath forfeited the right to the
 ‘ crown; &c. Here then king JAMES is declared, by
 the kingdom of Scotland, to have been an usurper from
 the beginning; and if HE had no right to the crown of
 that kingdom, whence his pretended abjured race de-
 rive theirs must be left with the reader. From this I
 judge it very plain, that, upon the demise of the late
 king, the crown, by the laws of the land, devolved on
 the next protestant heir, and consequently the happy
 revolution restored the kingdom of Scotland to its own
 constitution, and blessed it with its own rightful governors:
 So that nothing but infatuation can make any person,
 much more any protestant, to be fond of the pretender.
 But to proceed to the history of this detestable reign,
 as far as it concerns my design.

On the 10th of February the king was proclaimed at *The king*
 Edinburgh. The proclamation was sent down from *proclaim-*
 London; and, as it is somewhat singular, I shall here in-
 sert the substance of it, as follows. ‘ Forasmuch as it
 ‘ hath pleased the Almighty God to call CHARLES II.
 ‘ our late sovereign lord, of glorious and ever blessed me-
 ‘ mory, from a temporary crown to inherit an eternal
 ‘ in the heavens, whereby the undoubted right of suc-
 ‘ cession to him, in the imperial crown of this realm,
 ‘ was immediately devolved on the sacred person of his
 ‘ royal and dearest brother, our present sacred sovereign,
 ‘ (whom God long preserve.) Therefore we, the
 ‘ lords of his majesty’s council——do, with the con-
 ‘ currence of several others, lords spiritual and tempo-
 ‘ ral, barons and burgeses of this realm, hereby declare
 ‘ and proclaim to all the world, that our sovereign lord
 ‘ JAMES VII. is, by lawful and undoubted succession and
 ‘ descent, king of Scotland, England, France, &c. defender
 ‘ of the faith; &c.——and whom we shall humbly obey,
 ‘ dutifully and faithfully serve, maintain and defend,
 ‘ with our lives and fortunes, against all deadly, as our
 ‘ only righteous king and sovereign, over all persons and
 ‘ in all causes, as holding his imperial crown from God
 ‘ alone. And, for testification whereof, we here, in pre-
 ‘ sence of the Almighty God, and a great number of his
 ‘ majesty’s faithful people,——declare and publish, that
 ‘ our said sovereign lord, by the goodness and provi-
 ‘ dence of Almighty God, is of Scotland, England, France,
 &c.

1685. ' &c. the most potent, mighty and undoubted king.
 ' And hereby give our oaths, with uplifted hands, that
 ' we shall bear true and faithful allegiance unto our said
 ' sacred sovereign JAMES VII. king of *Great-Britain*,
 ' *France and Ireland*, defender of the faith, &c. and to
 ' his lawful heirs and successors ; and shall perform all
 ' duties, service and obedience to him, as becomes his
 ' faithful, loyal and dutiful subjects. So help us GOD.'

Remarks. This seems to look more like the form of an oath than a proclamation. Here *absolute supremacy, indefeasible and hereditary right* are asserted in strong terms ; but I leave the reader to make his own observations on this. It is not worth while to take notice of the fulsome addresses on this occasion, these being things of course. The new king continued all the civil and military officers for some time, and consequently the state of the sufferers was still the same.

Gentlemen, &c. released. The council proceeded as usual. Many gentlemen, ministers, and others, were before them ; some obtained their liberty who had been imprisoned, and fined to the value of their estates, for refusing the test. Others were released on condition of returning to their confinement after a limited time, and others upon condition of appearing when called. I shall only mention their names, as James Hamilton of Aikenhead, Mr. And. Kennedy of Clowburn, And. Hay of Craginethan, Napier laird of Kilmahew, Will. Fairly of Brunfield, Sir John Maxwell of Nether-pollock, John Porterfield of Douchal, and Alex. his Son, Bannantyne of Craigmuir, G. Hamilton of Brown-castle, laird of Fairly, J. Crawford of Crawfordland, W. Cunningham of Ashen-yards, J. Whiteford of Balquhan, J. Hamilton younger of Halcraig, the laird of Craigends younger, J. Caldwell of Caldwell, J. Stuart of Hartwood, William Hamilton of Overtoun, Muirhead of Bradisholm, Mr. John Bannantyne of Corehouse, Mr. William Wishart, Mr. John Knox, Robert Hamilton of Monkland, John MacGhie of Balgoon, Mr. Will. MacJore, Mr. Mich. Porter, Mr. J. MacGiligen, Hugh Kennedy of Daljar-roch, Alex. Hume of Newton, Hugh Montgomery of Boreland, John Mitchel son to Tunnerhill, Alexander Durham of Duntrieve, Mr. George Meldrum of Crombie, Patrick Hay of Naughton, Rob. Boyd of Troch-ridge, C. Alexander in Paisley, Geo. Douglas of Bon-jedburgh, Patrick Son to Sir Patrick Hume of Pol-wartt,

wart, Mr. James Futhy, and J. Martin of Little-hair-1685.
shaw, likewise James Armour merchant in Glasgow, William Muir and Halbert Wales, &c. I might also here mention the case of several excellent gentlewomen, as the lady Colvil, the lady St. Ford, the lady Tilen, and her son about 11 years of age, who had been imprisoned with her for conventicles, lady Skermorly, lady Abdean, who, after a great deal of trouble, were set at liberty; lady Mary Hope was outlawed, or put to the horn, for not appearing. But I chuse to omit particulars concerning these persons, and to go on to relate things as they happened in the order of time.

On the 11th of February the council recommended Report to a committee to inquire into and make a report of about the the case of those in the prisons of Edinburgh and Canon-prisoners, gate. They made their report on the 16th, by which it appeared that several who complied to take the test, or the oath of allegiance, were set at liberty. John Smith and James Russel were remitted to the justices, and 14 ordered for the plantations.

On the 19th the commission-court for Dumbarton Several fined John Napier of Kilmahew in 2000 L. sterl. for not fined. appearing, John Zuil of Darleith 1000 L. sterl. for refusing the Test, John Campbell of Carrick 1500 L. sterl. for himself and lady, for hearing ejected ministers, and Isabel Buchanan in 100 L. sterl. and ordered them to be imprisoned till they paid their fines, or gave satisfaction to the duke of Queensberry the lord-treasurer.

Mr. Zuil of Darleith was put into the castle of Dum- J. Zuil bartoun. In March his lady died of a fever. Darleith of Darleith. was not suffered to see her when dying, only, as a mighty favour, he was permitted to go out till four days after her funeral, when his son and son-in-law gave a bond for a 1000 L. sterl. that he should return to prison when that time was expired. He returned, and continued in hold the space of 18 or 20 months; but, by his want of accommodation, he contracted a consumption of which he died in January 1688.

The murdering work went on in the fields. Accord- Eleven ingly, on the said 19th of February, captain Bruce and murdered a party surpris'd six of the wanderers in Lochinkit-muir, in the parish of Kirkpatrick in Galloway, viz. William in the fields. Herron, John Gordon, William Stuart, and John Wallace, whom he ordered to be shot without any process. He carried Alex. MacRobine or MacUbine, and Edward Gor-

1685. *don*, the other two, to the bridge of *Orr*, where *Lagg* was pressing the *abjuration*. The captain would have these two tried by a jury; but *Lagg* swore they should not, and, in a bravado, said before the country people, *that all who had taken the oath had swore these mens doom*. Accordingly, next day, they were carried to the parish of *Irongray*, and were hanged up on an oak-tree by *Lagg's* orders. When they were come to the tree, an acquaintance asked *Alexander* if he had any word to send to his wife; he answered, *I leave her and the two babes on the Lord, and to his promise; a father to the fatherless, and a husband to the widow is the Lord, in his holy habitation*. When the person employed as executioner asked him forgiveness, he said, *Poor man, I forgive thee, and all men; thou hast a miserable calling upon earth*. They both died in much composure and cheerfulness. On the 21st, *Bruce*, and some accounts say colonel *Douglass* with him, killed other five men at *Kirkconnel*, but their names are not known.

Edward
Kyan
murder-
ed.

On the 28th, about 11 at night, lieutenant or cornet *Douglass* surrounded the house of *Dalwin* in the parish of *Bar*, with a party, and apprehended one *David Martin* brother to *John Martin* of *Dalquhairn*. There was one *Edward Kyan* who had concealed himself between the end of one house and the side-wall of another. Perceiving him, they dragged him out, and, without asking any other questions, but where he lived, the lieutenant shot him through the head, first with one pistol, and then with another; and one of the soldiers, pretending to observe some motion, shot him a third time. He was but a youth, and could not have been concerned in any of the *risings*. *David Martin* was next brought forth, and, when they had stript him of his coat, was set on his knees beside the mangled body. One of the soldiers begged the lieutenant to spare him till next day, alledging they might get some discoveries from him, and then stepped in between him and six soldiers who were presenting their pieces. But though this prevented his death at this time, yet, through the fright and terror he was put into, he was in a great measure deprived of his reason, was seized with a palsy, of which he died after he had kept his bed four years. *T. Abercromby's* father and son, together with some women in the neighbourhood, were barbarously beat and wounded. One of the *Abercrombies* and *David Martin* were carried with

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with them prisoners to Colmonel next morning, being 1685. the Lord's day.

Several others were murdered in cold blood this month of February. Thus William Adam in Middle-^{Other} welwood, attempting to escape a party commanded by Sir John Dalziel, on account of their ensnaring questions, was discovered, and instantly dispatched. Wallace, Edgar, and a third, were shot in the parish of Kirkpatrick by captain Bruce. Colonel Buchan and his men shot one John Smith in the parish of Lesmahago. In the *Cloud of Witnesses* we find that the said cornet Douglass apprehended Edward MacKeen; and, because he had a flint-stone about him, ordered him to be shot without any farther trial.

Some time this month Sir Robert Grierson of Lagg, ^{Mr. Bell of Whiteside, &c. murdered.} having the command of a part of Claverhouse's troop and Strachan's dragoons, surprised Mr. John Bell of Whiteside, David Halliday portioner of Mayfield, Andrew MacRobert, James Clement, and Robert Lennox of Irlintown, and most barbarously killed them on the spot, after quarters given, without so much as allowing them to pray before their death, or to be buried after it. Mr. Bell was the only son of a gentlewoman, heiress of Whiteside, who, after his father's death, was married to the viscount of Kenmure. He was a gentleman of good sense and unaffected piety, and had been grievously harrassed since Bothwell. He was very well acquainted with Lagg, and only desired a quarter of an hour to prepare for death. Lagg refused it, cursing and swearing, *What the D—, have you not had time enough to prepare since Bothwell?* A little after this the viscount of Kenmure, Claverhouse and Lagg happened to be in company at Kirkcudbright. Kenmure challenged Lagg for his cruelty to Mr. Bell, a gentleman, and his relation, especially in not permitting him to be buried. Lagg told him, with an oath, *Take him if you will, and salt him in your beef-barrel.* Upon this Kenmure drew, and would have run him through, had it not been for Claverhouse. The wickedness of the soldiers at this time was dreadful, and none worse than this Lagg. They used in their cabals to take to themselves the names of devils, and of persons they supposed to be in hell, and, with whips, to lash one another, as a jest on that place of torment. But my author justly draws a veil over many of their horrid acts of impiety.

The

1685. The troubles of *Robert Nairn of Bonhill* were renewed this month. The bailie-depute of the regality of *Dum-*
R. Nairn. *bartoun* came at midnight with two officers to his house. His wife was forced to take to the fields with a sucking child, leaving three other children with a servant-maid. When they had searched the house they took the eldest boy, not 15 years of age, and, drawing their swords, threatened to kill him if he did not tell where his father was. They took the inventory of the household-furniture, and arrested all in the hands of the landlord, whom they obliged to be accountable for every thing except the cradle. They turned the two infants (the eldest not being five years of age) out of their beds, and carried away the bed-clothes, and obliged the maid to find bail to appear when called. Next *April* they again searched his house, and carried his wife to prison, where she lay till she found bail to keep the church. *Robert* ventured home next winter; but, being informed against, he was pursued by two men, who both fired at him, so that he narrowly escaped, and got into a wood near his own house, where he contracted such a cold and illness that he was obliged to return home. This being known, two officers were sent to carry him prisoner to *Dumbartoun*, which they would have done, had he not been carried to a friend's house, about a mile from his own, where he got to his everlasting rest. It was with difficulty he was permitted to be buried in the church-yard of *Bonhill*, through the malice of the curate. His widow and eldest son were upon this brought to farther trouble, which I must pass over.

Report
 from the
 commis-
 sioners in
 Moray.

On the 2d of *March* the council received the report of the commissioners for the shire of *Moray*. From whence it appears that not a few had been brought under great hardships in these northern parts. When the commissioners first arrived there they ordered all disorderly persons they could be informed of, in the shires of *Banff*, *Ross*, and *Sutherland*, to be summoned before them at a certain day, and compleat lists of heritors, wadsetters, &c. to be drawn up, who voluntarily, as they said, offered three months supply to his majesty, took the *test*, and other oaths and bonds. They examined all ministers and elders in these bounds, and others, concerning the state of the country, and disorderly persons in it, libelled all persons informed against,
 fined

lined some, and banished others. Particularly, they 1685.
ordered the laird of *Fowlis* elder to be imprisoned at *Tain*, and the laird of *Fowlis* younger at *Inverness*, in case he refused the *bond of peace*. They cleared the country of all whom they called *outed* ministers and vagrant preachers, and banished the reverend messrs. *James Urquhart*, *John Stuart*, *Alexander Dunbar*, and *George Meldrum*, together with *Alexander* and *Mark Mavers* portioners of *Urquhart*, *Donald* and *Andrew Monroes* of *Elgin*, *Alexander Monro* sometime of *Main*, and *Jean Taylor* a servant and married woman. They fined the laird of *Grant* in 42,500 l. the laird of *Brody* 24,000 l. *Alexander Brody* of *Lethin* 40,000 l. *Francis Brody* of *Miltoun* 10,000 l. *Francis Brody* of *Windyhills* 3333 l. 6 s. 8 d. *Mr. James Brody* of *Kinlee* 333 l. 6 s. 8 d. *Mark Mavor* banished, in 300 l. *Mr. George Meldrum* banished, in 6666 l. 13 s. 4 d. They likewise ordered *Thomas Dunbar* of *Grange*, the laird of *Innes* younger, *William Brody* of *Coltsfield*, *William Brody* of *Whitewray*, and *Mr. Robert Donaldson* in *Arr*, to appear when called. They whom they banished were to be sent prisoners to *Edinburgh*, and orders were given to apprehend the few delinquents that were absent, and commit them to prison till they should sign the *bond of peace* and *regularity*, and engage to keep the kirk for the time to come.

This is but a short abbreviate of the report made by the lords commissioners: But it is easy to form a judgment of the oppression of the country, for they had nothing to lay to the charge of any of these persons but their *non-conformity*.

This court consisted of the earls of *Errol* and *Kintore*, with *Sir George Monro*, commonly called major-general. When they came to *Elgin* they ordered a new gallows to be erected *in terrorem*. Absence from the kirk, and being at *conventicles*, were the dreadful crimes, for none in this part of the country had been at *Bothwell*.

The laird of *Brody* had what they called a *con-Laird of venticle* in his house. He went to *London* to get, if *Brody*. possible, some reasonable composition made for his fine, and, after much pains and expence, was forced to give bond for 20,000 merks, to one colonel *Maxwell* a *pa-pist*, to whom that sum was paid, and the colonel's acknowledgment.

1685. knowledge of it is, for ought I know, still among the papers of the family.

Laird of
Grant's
petition
rejected.

The laird of *Grant* gave in a petition after this to the council, setting forth that he had been fined because his lady had confessed two years and a half's withdrawing from the ordinances, the keeping of an unlicensed chaplain, and the like; and declared that he thought it hard that a husband should be liable for his wife's withdrawing from ordinances, especially as the parish-church was vacant for a year and a half of the time specified, and the next parish-church was six or seven miles distant, and that his lady, for the most part, was in a bad state of health, and given over by the physicians, and that she had never withdrawn from any principle of disloyalty. In short, he cleared himself from every thing laid to his charge, as the petition more fully bears: But the council found that their commissioners had proceeded *legally*, and ordered him to be pursued for the fine.

Others
imprisoned.

A great many others were called before this court, and imprisoned at *Elgin*, as *John Montfod* chamberlain to *Park*, *Jean Brody* relict of *Al. Thomson* merchant in *Elgin*, *Christian Lesly* daughter, and *Beatrix Brody* relict of *Lesly* of *Aikenwall*, &c. When the king died the court rose, and these were released.

Indemnity
published.

On the said 2d of *March* the new king's indemnity was published, out of which the chief movers and instruments of the present commotions, together with all heritors, liferenters, wadsetters, burgesses, and vagrant preachers, and the murderers of *archbishop SHARP*, and of the minister of *Carsphairn*, were excepted. In short, none could have the benefit of it without complying with the oaths at that time imposed. All others were to partake of this demonstration of the king's innate clemency, which, he says, hath shined in the whole line of his royal race. The affair of the *Palatinate*, the *Irish* massacre, and the proceedings of the late reign, are no great proofs of this.

Two more
murders.

The same day cornet *Baily* met with a young man, *William Smith*, in the fields, and carried him to the garrison because he refused to answer their questions; and, next day, *J. Lawrie* of *Maxwelltonn*, pretending to be a commissioner, passed sentence of death upon him, notwithstanding the intercession of his father and the remonstrance of the cornet. He was immediately shot

shot at the *Race-muir*, and died with great composure, 1685. and in full assurance of faith, declaring that he died for no rebellion, nor any crime, but for converse with the persecuted people, and refusing to discover them. Some time this month lieutenant *Murray* met, with one *John Brown* in the fields, and, without any process or sentence, ordered him to be shot near the *Black-wood* in that parish, though he had promised him quarters.

On the 6th of *March* major *Balfour* seized Robert Logan, George Muir, and John Gilfillan, in the house of one Sarah Kirkland at Glasgow; and, without any order from the council, sent two of them to the plantations, and the other was sent to *Dunnotter*, whither the woman was likewise ordered, but she made her escape by the way. Mr. William Boyd, who, at the revolution, was admitted minister at *Dalry*, was seized about this time, but soon got free.

On the 10th the committee made another report to the council concerning the prisoners, upon which some were released, and others continued, and letters were dispatched to the commissioners for *Stirling*, *Glasgow* and *Ayr*, to offer the indemnity to all the prisoners there, and that they who should be released might have a pass, subscribed either by a councillor or one of the commissioners.

The same day the council gave a warrant to the laird of *Pitlochie* to go to the prisons of *Edinburgh*, *Glasgow* and *Stirling*, and transport a hundred of the prisoners who were willing to go to the plantations, excluding all heritors who had above 100 L. rent.

By this time the rumours of *Argyll's* design upon Scotland, and of *Monmouth's* upon England, began to spread, which tended to increase the violences and ravages of the army, especially those under the command of *Claverhouse* in *Glydesdale*, *Annandale* and *Nithsdale*. Accordingly, on this 10th of *March*, all the freeholders, heritors and gentlemen, in the two last of these shires, were summoned to attend the king's standard. He parcelled out the shire into so many divisions, taking in six or eight miles square at a time. In every division, having drove all the inhabitants, without distinction, into one place, and asked them severally, whether they owned the duke of *York*, that was, for their KING, he made them all swear to continue in their allegiance, and never

1685. never do any thing against him. Next he demanded, whether they had taken the *abjuration*, or had ever *repented* their having done so; and when they declared they had not, he then made them promise, *upon their renouncing their part in heaven*, that they would never repent of what they had done. When he dismissed any that complied with all this, he told him, *Argyll shall have a perjured dog of you*. If a man refused to swear, he was carried some few paces from the rest, a napkin was tyed over his face, and the soldiers ordered to fire, either blank powder, or over his head. Having thus brought him under the terror of death, he was once more offered his life, upon swearing and promising to inform against all disloyal persons; by which means not a few were brought to a compliance. Besides these methods of cruelty, all the children in the division, above six, and under ten years of age, were assembled, by themselves, and a party of soldiers drawn out before them. Then they were bid pray, for they were going to be shot. Some of them would answer, *Sir, we cannot pray*. Then they were required to tell when they saw men and guns in their house, or if any men, with guns and swords, got meat or drink in their houses: But it would be endless to mention all the unaccountable proceedings of *Claverhouse* and his men; neither is there any occasion for making remarks on these things.


Cruelty to
children.

Marquis
of Athole
empow-
ered.

On the 12th of *March* the marquis of *Athole* received orders to raise 500 *Highlanders* for securing the peace of the shire of *Argyll*; from which it would seem the ministry had early information of *Argyll's* intended invasion.

Indulged
ministers
released.

The same day the council ordered the magistrates of *Edinburgh* to release Mr. *Andrew Miller* indulged minister at *Neillstoun*, Mr. *James Curry* at *Shotts*, Mr. *A. Murray* of *Woodend*, and Mr. *Robert Mowat* at *Heriot*, who had for some time been imprisoned for not observing their instructions; and, on the 14th, Mr. *Campbell* and Mr. *Duncan* were ordered to be released. Some time after this Mr. *And. MacLean*, Mr. *P. Campbell*, Mr. *David Simpson*, indulged ministers in *Argyll-shire*, Mr. *John Oliphant*, and other indulged ministers, were, about this time, set at liberty, and returned to their own houses, where they sometimes preached, but no more in the churches; and in this situation matters continued till the liberty 1687. The acts by which they

they were released, obliged them to engage not to ex- 1685.
ercise any part of their ministry within the kingdom; 
but it does not appear they complied with this.

On the 24th some of the hearers of Mr. *Renwick* ^{Country} were observed going and coming from his sermons in ^{harrassed.}
arms, and therefore the council empowered colonel *Dou-*
glas, and the commanders of the garrisons, to punish
the common people who did not inform against them,
and to oblige the heritors, on whose grounds they were
seen, to appear before the council in *April* next. But
we have had so many commissions of this nature former-
ly, that there is no occasion, either to insert this, or
make any remarks upon it. Only, from the council-re-
gisters, it appears, that *James Napier*, *Allan Atkin*, and
John Peirson, were condemned to die for concealing the
rebels who went through the shire of *Ayr*; but were af-
terwards pardoned.

We left Mr. *Alexander Shields* in *Newgate*, from
thence he and other seven, who were apprehended with
him, being *Scotsmen*, were, on the 4th of *March*, put
on board the *Kitchen-yacht* for *Scotland*. They landed
at *Leith* on the 13th, and next day Mr. *Shields* was ex-
amined before a committee of the *council*, where, being
on the reserve, he was remanded to prison till the 23d,
when he was brought before the justiciary, and interro-
gated, *Whether he would abjure the apologetick declaration,*
and own the authority of K. JAMES VII. and, being still
on the reserve, he was sent back till the 25th, and from
thence continued to the day following, when he was a-
gain brought before the justiciary, and examined to the
effect foresaid, with renewed threatnings of the most
severe usage if he did not satisfy them; whereupon he
gave in the following minute in writing, *viz.* ‘ Upon as
‘ serious and mature deliberation as my disordered
‘ mind could be capable of in this hurry and surprise,
‘ consulting both the declaration itself, that I am com-
‘ manded to give my insignificant sentiments of, and
‘ consulting his majesty’s proclamation, to find out that
‘ which is offensive to your lordships in it, advising also
‘ with the opinion of the lords of council and session,
‘ upon refusing to answer when questioned about it,
‘ the result of my thoughts is, in the sincerity of an
‘ unfeigned conscience, and in the fear of God; that I
‘ do abhor, renounce and disown that and all other
‘ declarations, IN SO FAR AS that or they do declare

1685. ' war against the king, expressly, proposedly or design-
 edly, and asserts that it is lawful to kill all that are
 employed by his majesty, or any because so employed,
 ' in church, state, army or country.' When the court
 read this, they said it was satisfactory, and required
 him to hold up his hand. This he refused, till, being al-
 lowed to dictate unto the clerk in what words he would
 swear, he said, *I do abhorre, renounce and disown, in the
 presence of God, that pretended declaration, in so far
 as it declares war against the king, and asserts that it is
 lawful to kill all employed by him, in church, state, army or
 country.* Then, protesting it might not be constructed
 in any other sense than the genuine meaning of the
 words he had delivered in the minute before insert, he
 did subscribe and swear it. That which, he says, did in-
 duce him to it, was, that they gave it in his own mean-
 ing; and so far was his mind deceived, that, by a quibble
 and nice distinction, he thought the words might bear,
 that this was not a disowning of that, nor no declara-
 tion which ever he saw, (save one of their pretending)
 nor that neither, but only *in so far as, or if so be,*
 which two different expressions he was taught to con-
 found by scholastick notions instilled into him by the
 court, and by some of the indulged ministers who were
 in prison with him. Having so done, the justiciary dis-
 missed him; but, on pretence of his being the council's
 prisoner, he was sent back to his now, more than ever,
 weary lodging; for he had no sooner made the above
 foolish, unfaithful and dishonourable step of compliance,
 as he justly calls it, than his conscience smote him, and,
 continuing to do so, he aggravates his fall in such sort
 as I have scarce heard of a parallel, and laments over
 it as what he could not find words to express, nor
 groans to bemoan it enough. In which condition he
 continued for some considerable time; and so we leave
 him till we bring forward concurring transactions.

T. Ken-
 nedy of
 Grange,
 &c. pro-
 secuted.

On the 30th of March, Thomas Kennedy of Grange,
 John Kennedy of Glenure, and Gilbert MacMichan of
 Kil-saint-ninians, were prosecuted before the justiciary,
 for accession to Bothwell. Next day Kennedy of Grange
 was condemned to be executed when apprehended, Ken-
 nedy of Glenure was acquitted; but what the issue was
 with respect to G. MacMichan is not known.

Oppres-
 sions in
 general.

As I am now come to relate what happened in the
 month of April, I might observe, in general, that the
 soldiers

Chap.

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soldiers continued to harrafs the country ; that they instructed some to be *spies* upon the *wanderers*, by feigning themselves of their principles, and, when they found out their lurking-places, by informing against them. A body of *Highlanders* was brought down to assist the regular troops ; but I omit all this, as having had frequent opportunity to lay before the reader many unprecedented instances of oppression committed by the soldiers and officers.

On the 9th of *April* the duke of *Queensberry's* commission to be the king's commissioner in the ensuing session of parliament was read in council. ' Upon king *CHARLES's* death the marquis of *Queensberry*, soon after made a duke, and the earl of *Perth*, came to court. The duke of *Queensberry* told the king, that, if he had any thoughts of changing the established religion, he could not make any one step with him in that matter. The king seemed to receive this very kindly, and assured him he had no such intention, but that he would have a parliament called, to which he should go his commissioner, and give all possible assurances in the matter of religion, and get the revenue to be settled, and such other laws to be passed as might be necessary for the common safety. The duke of *Queensberry* pressed the earl of *Perth* to speak in the same strain to the king ; but, though he pretended to be still a *protestant*, yet he could not prevail on him to speak in so positive a stile. The duke frequently, since that time, told bishop *Burnet*, that the king made these promises to him in so frank and hearty a manner, that he concluded it was impossible for him to be acting a part ; therefore he always believed that the priests gave him leave to promise every thing, and that he did it very sincerely ; but that afterwards they pretended they had a power to dissolve the obligation of all oaths and promises.' The order of time leads me now to speak of *Argyll*.

The deliberations in *Holland*, says the historian of his own time, among the *English* and *Scots* that fled thither, came to ripen faster than was expected. Lord *Argyll* had been quiet ever since 1683. and had lived mostly in *Friesland*, though he came frequently to *Amsterdam*, and met with several of his countrymen who lay concealed there, the chief of whom were the lord *Melvil*, Sir *Patrick Hume*, and Sir *John Cochran*. With these his lordship communicated all the advices he received.

1685.

Duke of
Queens-
berry
commis-
sioner.Burnet,
p. 634,
635.Argyll's
projects.
Burnet,
p. 629.

1685. ceived." In short, upon the death of the late king, he judged he had a favourable opportunity to attempt the rescue of his country, from that *popery* and *slavery* wherewith it was threatned by the accession of the duke of *York*, and therefore resolved to make a descent upon *Scotland*, where he hoped to be joined by a number sufficient for answering his design; and at the same time prevailed with the duke of *Monmouth* to make a descent upon *England*; but *Argyll* wanted money, which could not but be a great baulk to this undertaking: however, that want was supplied by means of a rich widow in *Amsterdam*, who furnished him with 10,000 *L. sterling*. With this he bought a stock of arms and ammunition, which was very dexterously managed by one who traded to *Venice*, as if intended for the service of that republick.

A meeting
at
Amster-
dam.

On the 7th of *April* there was a meeting at *Amsterdam*, at which were present the earl of *Argyll*, Mr. *Charles Campbell* his son, Sir *John Cochran* of *Ochiltree*, Sir *Patrick Hume* of *Polwart*, *George Pringle* of *Torwoodlee*, *William Denholm* of *Westshields*, *George Hume* of *Bassindean*, *John Cochran* of *Waterfide*, Mr. *George Wishart*, *William Clelland*, *James Stuart* Advocate, and Mr. *Gilbert Elliot*. Sir *John Cochran* was chosen preses for that time. At this meeting it was unanimously

Resolved,

Resolu-
tions.

‘ That the above named persons, and other gentlemen of the kingdom of *Scotland* joining with them, in a great undertaking intended by them in the defence and for the recovery of the religion, rights and liberties of the kingdom of *Scotland*, shall assume and take upon them the quality and character of a council, for consulting and determining whatsoever relates to that great undertaking, and management thereof; and that, so soon as they came to *Scotland*, such of the nation as shall join themselves to them, in the prosecution of the said undertaking, shall likewise have access unto, and be joined in the foresaid council.

‘ The persons foresaid, in the character and quality above expressed, do resolve to make war—against *JAMES* duke of *Albany* and *York*, and such as shall adhere to him; and, for the command and conduct of the army they shall be able to gather together, they unanimously appoint *ARCHIBALD* earl of *Argyll* to the office of captain-general—Mr. *William Spence* their

‘ their clerk, and recommend to the said *James Stuart* 1685.
 ‘ to perfect the declaration of war they design to publish,
 ‘ and that against Monday next. It is farther resolved,
 ‘ That Mr. *William Veitch*, Mr. *George Barclay*, and
 ‘ *William Clelland*, be dispatched to Scotland, and instruct-
 ‘ ed for that effect; and that the earl of *Argyll*, Sir
 ‘ *John Cochran*, Sir *Patrick Hume*, *George Pringle* and
 ‘ *William Denholm*, meet to-morrow at the earl’s cham-
 ‘ ber, at eight o’ clock in the morning, to expedite their
 ‘ instructions; and adjourn their meeting till Monday at
 ‘ eight o’ clock at night to Sir *John Cochran*’s chamber.’

No doubt they met at the time and place appointed, *Debates among them.*
 and probably agreed to the draught of their declarati-
 on; and thus far they were harmonious; but after this,
 according to bishop *Burnet*, ‘ they had sharp debates p. 629.
 ‘ about the course they were to hold. *Argyll* was for
 ‘ sailing round Scotland to his own country. *Hume*
 ‘ was for the shorter passage, the other being a long na-
 ‘ vigation, and subject to great accidents. *Argyll* said
 ‘ the fastnesses of his own country made that to be the
 ‘ safer place to gather men together. He presumed so
 ‘ far on his own power, and on his management hi-
 ‘ therto, that he took much upon him; so that the rest 630.
 ‘ were often on the point of breaking with him. The
 ‘ duke of *Monmouth* came secretly to them, and made
 ‘ up all their quarrels, and would willingly have gone
 ‘ with them himself; but *Argyll* did not offer him the
 ‘ command. On the contrary, he pressed him to make
 ‘ an impression on *England*;’ and by that means they
 were both hurried to a precipitate undertaking, before
 matters were ripe for it. But to return to Scotland.

On the 21st of April the duke of *Hamilton*, the earl
 of *Dumfries*, and colonel *Douglass*, were added to the
 council; and, on the 25th, lieutenant-general *Drum-*
mond was sent west to harraßs the country for the old
 pretended reset and converse. We have had several
 commissions of this nature before now, so that there is
 no occasion to insert any thing farther as to this.

On the 28th the parliament sat down, which was just *Parliament sat down.*
 a few days before *Argyll* set sail from *Holland*, and not
 after the defeat of that expedition, as bishop *Burnet*,
 through mistake, tells us. The last parliament 1681.
 was under the conduct of a popish commissioner; and this
 entirely subverted the designs of a popish king. Here
 the finishing stroke was given to the nation’s liberties,
 and

1685. and the king's dispensing power established by law. Bloody and detestable statutes were here enacted, that are, to the indelible infamy of the projectors, a scandal to the protestant name, a terror to that age, and a warning, it is hoped, to all posterity, of the native tendency of *absolute power and indefeasible right*.

The first thing the parliament was entertained with, was the king's letter, of which I cannot but give the following abbreviate.

J A M E S R.

My Lords and Gentlemen,

King's
letter.

THE many experiences we have had of the loyalty and exemplary forwardness of that our ancient kingdom, by their representatives in parliament assembled, in the reign of our dearest——brother, ——made us desirous to call you,——in the beginning of our reign, to give you an opportunity, not only of shewing your duty to us in the same manner, but likewise in being exemplary to others, in your ——*compliance with our desires*, as you have most eminently been *in times past*, to a degree never to be forgotten by us.——That which we are at this time to propose, is what is as necessary for your safety as our service, and what has a tendency more to secure *your own privileges and properties*, than the aggrandizing our power and authority (though *in it* consists the greatest security of your rights and interests, these never having been in danger, except when the *royal power* was brought *too low* to protect them) which now we resolve to maintain in its greatest lustre, to the end we may be the more enabled to defend and protect *your religion*, as established by law, and your rights and properties ——against FANATICAL contrivances, murderers and assassins, who, having no fear of God, more than honour for us, have brought you into such difficulties, as only the blessing of God upon the steady resolutions and actings of our said dearest royal brother, and those employed by him (in prosecution of the good and wholesom laws by you *heretofore offered*) could have saved you from the most horrid confusions and inevitable ruin. Nothing has been left unattempted, by those *wild and inhuman traitors*, for endeavouring to overturn your peace, and therefore we —— hope that nothing will be wanting in you to secure yourselves, and US, from *their outrages and violence*,

olence in time coming, and to take care that such conspirators meet with their just deservings, so as others may thereby be deterred from courses so little agreeable to religion, or their duty and allegiance to us. The rest of the letter is made up of encomiums upon the duke of *Queensberry* the commissioner, and expresses his majesty's hopes that this parliament would readily concur with whatever should be proposed to them.

There is scarce occasion for any remarks on this letter. King JAMES assures them he will defend and protect their religion, though, at the same time, he will take care that his authority shall shine in the *greatest lustre*; and therefore recommends to them to bring those, whom he brands with the odious names of *murderers* and *assassins*, to condign punishment; but it is well known that the sufferers detested all principles of assassination, while *the soldiers murdered by AUTHORITY*. I shall not trouble the reader with the speeches of the commissioner and chancellor, which followed the reading of the royal letter, nor with the parliament's answer to it, which was the echo of it, farther than to observe, that they promised to leave nothing undone to extirpate all *fanaticism*, especially *FANATICAL murderers* and *assassins*.

The first thing they did was a short and general act for the security of the *protestant* religion, which passed without a complaint of any defect, since those patriots who opposed the *test* were out of the way; but there was little ground, notwithstanding all laws, nay, and royal assurances, to expect the security of the *protestant* religion under a *popish* prince, whom, to their shame, they owned as *ABSOLUTE*, as appears from their offer of duty, and declaration; in which, among other things, they say, 'That they abhor and detest, not only the authors and actors of all preceeding rebellions against the sovereign, but likewise all principles and positions which are contrary or derogatory to the king's *sacred, supreme, sovereign, ABSOLUTE power and authority*, which none, whether persons, or collective bodies, can participate of any manner of way, or upon any pretext, but in dependence on him, and by commission from him. And as their duty formerly did bind them to own and assert the just and legal succession of the *sacred line*, as unalterable by any human jurisdiction; so now, on this occasion, they, for themselves, and the whole

1685.

Remarks.

Act for securing the protestant religion.

1685.



‘ whole nation represented by them, in most humble and dutiful manner, do renew the hearty and sincere offer of their lives and fortunes, to assert, support, defend and maintain king JAMES VII. their present glorious monarch, and his heirs and lawful successors, in the possessions of their crowns, sovereignty, prerogatives, &c. against all mortals.’

Proclamation.

The same day the council, in respect of the forewarned invasion, published a proclamation for putting the kingdom in a posture of defence. It is not worth while to take notice of the flattering title given to the late king, our dearest brother of renowned and *eternal* memory. By this proclamation the militia in the *eastern* shires, and all able to bear arms in the *northern* shires, were commanded to be in readiness with 14 days provisions; and particular care was taken of the sea-coast towns. All this preparation was no more than might have been expected.

Marquis of Athole
lord-lieutenant of
Argyll-shire, &c.

Next day, *April* the 29th, the marquis of *Athole* was made lord-lieutenant of the shires of *Argyll* and *Tarbet*, and ordered to march thither with some forces; and, wherever he marched, the people were obliged to furnish them with baggage-horses.

Five killed near
Inglishtoun.

The same day a most bloody murder was committed upon five persons near *Inglishtoun* in the parish of *Glencairn*. One *Andrew Watson*, perhaps the same concerned in the murder of the curate of *Carsphairn*, was an artful spy among the *hiding people*, who, after that affair, deserted them. He got himself apprehended, and a sham sentence of death passed upon him. He escaped, and tried to join the *wanderers* once more; but they would have nothing to do with him, whereupon he threw off the mask, and listed himself a soldier. Being tolerably well acquainted with their hiding places, he discovered a cave, near *Inglishtoun*, which had been a place of secrecy among them for some years. Colonel *James Douglass* and lieutenant *Livingstone* came suddenly to this cave, where they surprised *John* brother to *James Gibson* the heritor of the place, *James Kennoch* in *Glencairn* parish, *Robert Edgar*, *Robert Mitchel* and *Robert Grierison*. The soldiers fired into the cave, by which one of them was wounded. Then they rushed in, and, without asking any questions, or making any offers, *Douglass* condemned them to be shot directly. *John Gibson* was first permitted to pray, which he did

to

to the admiration of the soldiers. He sung part of *Psalm xvii.* read *John xvi.* and, after he prayed, was shot. He had a short interview with his sister, and told her, *that this was the most joyful day he ever had.* His mother also got access to him, and he requested her *not to grieve, but to bless the Lord, on his account, who had made him both willing and ready to suffer for his cause and interest.* The rest were dispatched all at once, without being allowed to pray separately. One of them was not killed out-right, which one *Fergusson*, an apostate, observing, he thrust him through the body with his sword. The last words that poor man spoke were, *Though every hair in my head were a man, I am willing to die all those deaths for Christ and his cause.* They ly buried in the church-yard of *Glencairn.*

About this time the heritor of *Inglisfoun* had his lands given to the laird of *Stonehouse*, who not only possessed the estate, but likeways seized on 2048 l. of lady *Inglisfoun's* portion, and reduced her and her children to the greatest straits, merely for pretended converse with her sons and friends, who could not conform to the iniquity of the times. *Sufferings of the family.*

Some time this month *Dundas*, the commander of *John Blaquhan* garrison, being informed of one *John Semple* in the parish of *Dally* in the shire of *Ayr*, detached a party along with *Fergusson* the informer, who about midnight surrounded the house. *John* hearing a confused noise of feet, and judging what it was, tryed to escape out at a back window; but five or six of the party observing him, discharged their pieces, and killed him on the spot. It was in this month of *April* that one *Peter Inglis* shot *John Burrie* in the parish of *Evandale*, though he had his *pass* in his hand. *John Semple, &c. murdered.*

The month of *May* continues the bloody scene. The morning of the first day of this month was ushered in with the barbarous murder of *John Brown* in *Priestfield* in the parish of *Muirkirk*, a pious solid christian, and of great use to young people. He was a carrier to his employment, and was usually nicknamed the *christian carrier*. This morning, between five and six o'clock, having performed family-worship, he went out to his work, and was surrounded by *Claverhouse*, with three troops of horse, and brought back to his own house. After he had distinctly answered some *Murder of John Brown in Priestfield.*

1685. questions, *Claverhouse* said to him, *Go to your prayers, for you shall immediately die*; and, when praying, he interrupted him three times. After he had done, he said to his wife, who was present with her child in her arms, and another child of his first wife's, *Now, Isabel, the day is come of which I told you when I first proposed marriage to you*. To which she replied, *Indeed, John, I can willingly part with you*. This, said he, is all I desire; I have no more to do but die; I have been in case to meet death for many years; and then he kissed his wife and children, and blessed them, wishing all purchased and promised blessings to be multiplied upon them. Then *Claverhouse* ordered six soldiers to shoot him; which being done, the wretch said to the widow, *What thinkest thou of thy husband now, woman?* She said, *I ever thought much good of him, and as much now as ever*. He said, *It were but justice to lay thee beside him*. She replied, *If you were permitted I doubt not but your cruelty would go that length: But how will you answer for this morning's work?* He answered, *To man I can be answerable, and, as for God, I'll take him in mine own hand*.

He then marched off, and left her with the corps. She set the child on the ground, gathered his scattered brains, tyed up his head, covered his body with her plaid, and sat down and wept over him. He was buried at the end of his own house. *Claverhouse* is said to have frequently acknowledged that *John Brown's* prayer made such impressions on his spirit, that he could never get them altogether worn off when he gave himself liberty to think.

*Acts of
parlia-
ment.*

On this first of *May* the parliament made two acts for facilitating processes for treason now depending before the *justiciary*. By the one they ratified the custom formerly used, in proceeding against prisoners in 24 hours; but, for the future, allowed them to be cited in 48 hours: So that by this a parliamentary pardon and protection was given for former violations of the rights and liberties of mankind; and two days were only granted for men to make their defences upon life and death. The other act ordains, that, if those who are summoned as witnesses, in case of treason, house or field-conventicles, or church-irregularities, refuse to swear, they shall be liable to be punished as guilty of those

those crimes in which they refuse to be witnesses. The 1685.
iniquity of this act cannot but be obvious.

By this time the earl of Argyll, being ready for his Argyll expedition, and the duke of Monmouth having engaged sails for Scotland, that he would not stay in Holland ten days after him, embarked, on the first of May, with three ships, and a considerable number of arms, and in three days reached Orkney. They had not above 300 men in all. Mr. Blackadder, son to Mr. John Blackadder, was sent ashore to get intelligence, Mr. W. Spence went with him to visit an uncle of his at Kirkwall the chief town; but both, being discovered, were apprehended by the old bishop there. Mr. Blackadder was afterwards pardoned. This alarmed the country. Argyll was for sending a party of fusileers to recover the two gentlemen; but he was dissuaded from the attempt, and only a few prisoners were taken. From Orkney they steered their course by the inside of the western islands; and, had they got in time to Islay, would have surprised Balechan with a party of 4 or 500 men; but they came just an hour too late. They next dropt anchor near Tobermore in Mull, where they were detained three days, which was very much to their disadvantage. From Mull they sailed to Kintyre; and here they were disappointed of many whom they expected would join them. However, his lordship and those with him published their declaration, which, as we have related, was drawn up by Mr. James Stuart advocate. A short abbeviat of it cannot but be acceptable to the reader, and is as follows.

THEY must be altogether strangers—in the Argyll's christian world, who—are not fully con-^{declara-}
vinced—that the whole reign of CHARLES II. tion.
—was a constant and uniform course of perjury;
apostacy, and violence; begun with open rebellion a-
gainst God; the rescinding not only of particular
laws, but—of whole unexceptionable parliaments
for the space of 27 years preceeding;—and the
cruel shedding of the best protestant blood, in the most
unjust execution of the marquis of Argyll, and many
other worthies, contrary to all law and reason, car-
ried on by the smiting and casting out of more faith-
ful and pious pastors, and scattering—more true
flocks and followers of Christ, than was done in most
of

1685. of the *ten primitive persecutions*, and the deluging of these lands with all villainous debaucheries and abominable licentiousness,——and thenceforward accomplished by a most unrelenting persecution and oppression of the generality of God's people in their consciences, persons and estates,——in the following particulars——all too evidently seen and heavily felt to need any explicit proof or demonstration. As, *imo*. Not only in the above mentioned open and avowed revolting from God——

But next, and more particularly, in the conniving at *papists*, their meetings and idolatrous *masses*, while, in the mean time, all *PROTESTANT non-conformists* are persecuted with endless severities; the raising, keeping up, and increasing standing forces,——the exalting the king's *supremacy*——about the external government and policy of the church;——the strange perversion of the high trust of the militia committed to his majesty, for the protection of good subjects, only to the invading and oppressing, by lawless hosts, both of *Highlanders* and *Lowlanders*, the best parts of the kingdom;——the forcing of poor people, by——exorbitant finings, imprisonments——for the simple cause of *non-conformity*, to take arms in their own defence, as at *Pentland*, *Bothwell-bridge*, and then demeaning and executing them, what in fields, and what on scaffolds, as the most desperate traitors; and, at the same time, involving whole countries, upon the most slender and absurd pretexs of inevitable *intercommunings* and reset, both in their crime and punishment; the setting up the most violent——men to be ministers of the law, and packing juries to the worst ends;——the transporting of freemen as slaves;——the *torturing* of several,——even five times more of conscientious *non-conformists*, within these 20 years, than of all sorts of felons and malefactors in *Scotland* these 100 years bypast;——the cruel executing to the death of several hundreds,——some of them for their bare opinion about the king's breach of trust, never before by them vented, but simply declared upon *examination*, and most part of them dispatched with that barbarous inhumanity, as that——they were, by *beating of drums*, hindered to speak to the people their last and dying words; and some of them——tried, sentenced, and put to death

death in one day, yea, the time and hour of their death industriously concealed from them, that they might be cut off by a more mortal surprise; — the imposing and pressing of oaths without law; — the eating up of men by free quarters, — the harrassing the best parts of the country by four extraordinary circuits, upon one and the same subject of *Bothwell-bridge*, on purpose, as it were, to justify his highness's judgment to his late majesty, that it would not be well with Scotland — till the south of Forth was turned to a hunting-field; — the industrious stifling — the detection of all POPISH plots; — the shamming of mock-plots upon good PROTESTANTS, — and generally in the studied and constant ensnaring — all esteemed either fixed to the protestant interest, or well affected to their country's liberty.

This wicked mystery, we say, and conspiracy of popery and tyranny, — having made so great a progress, by the steps above mentioned, is now at length evidently disclosed — by the most suspicious — cutting off of the late king; — the ascending of JAMES duke of York to the throne, — notwithstanding his being twice excluded by the commons of England; and that he neither hath given, nor can give, without an hypocritical and damning cheat, repugnant to his profession, and contemptible to all ingenuous men, the oath and security indispensibly required of him before and at his entry to the government, &c. &c.

Which things, being all of them either palpable perversions, or utterly inconsistent with the true and great ends of government, rendering our commonwealth our common calamity, and HIM, who pretends to be its protector, its most hostile enemy — we have been, and are obliged and constrained, by extreme necessity, and for common safety, (the supreme laws) to take up just and necessary arms, in the name and fear of the great God, and the confidence of his mercy and assistance, for our own and our country's relief from the foresaid most grievous and intolerable tyrannies and oppressions, the defence and re-establishment of the true and pure christian religion, commonly called protestant, in opposition to that antichristian ROMAN religion, commonly called papistical, and the recovery and re-establishment of

1685. of all our just rights, liberties and privileges, according as we stand indispensibly engaged thereto, both before God and man; and that against the said JAMES duke of York, and all other his accomplices, our most natural and wicked enemies and oppressors, desiring, in the first place, to be deeply humbled, each of us, before God, for our manifold sins and provocations, especially our *false heartedness* and unsteadfastness in, and revoltings from our great and manifold engagements to him that alone hath brought upon us all these sad mischiefs; earnestly and with our whole hearts, supplicating that he would cease from his anger, cause his face to shine upon us, and save us for his own name's sake. And, in the next place, declaring, — that our — ends and designs, in this our undertaking, are, 1st. The restoring and settling the aforesaid true reformed *protestant* religion. — 2^{dly}. The suppression and perpetual exclusion of antichristian *popery*, with all its idolatrous superstitions and falshood; and also its most bitter root and offspring PRELACY, with its new and wicked head the SUPREMACY, and all their abuses. — And, 3^{dly}. The restoring of all men to their just rights and liberties, especially the recompensing of all sufferers, whether unto blood, the loss of liberty and goods, &c. — which things, as we — hope to accomplish, only through the presence of our God with us, — so we are most willing and resolved that they be all settled and perfected by a free, full, just and sovereign representative of all the present undertakers, and such as shall hereafter sincerely concur and take part with us; and that in such forms and ways as God, by his good providence, can only most happily direct and conduct us into; declaring and protesting farther, that, since such have been — the treachery, perfidy, &c. of our adversaries, — we will never enter into any terms of capitulation — with them —.

After signifying their resolution to prosecute these things, they conclude with a most pathetick invitation to all the lovers of truth to concur and join with them; but this declaration had not that influence on the minds of people that might have been expected: The societies thought that it opened a door for a too promiscuous admission.

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When they were at *Mull*, the earl sent letters to his friends by his son *Mr. Charles*, who went ashore at the castle of *Dunstaffnage*, and used all his interest in that country, which had little success, only a few joined him there; for they whom he took for his friends basely discovered all, and others were very backward to join him; and all that *Mr. Charles* got done, was placing a garrison in the castle of *Cornasory*, the dwelling of *Sir Duncan Campbell of Auchinbreck*.

1685.
He meets
with dis-
appoint-
ments.

The earl continued a considerable time in *Kintyre*, in expectation of having his numbers greatly increased; but he had only one addition of about 300 foot and 100 horse. However, he received news that *Auchinbreck's* men were ready, whom the earl ordered him to march with to the *Tarbet*, and afterwards joined them there, with his three companies from *Islay*, and three from *Kintyre*, commanded by colonel *Aylief*, *Rob. Elphinstoun* of *Lapness*, and major *John Campbell*, afterward executed at *Inverary*, and a troop of horse commanded by colonel *Rumbold*. At the *Tarbet*, on the 27th of *May*, *Argyll* printed and dispersed his declaration to his vassals; which the reader will find in my author's appendix, No. 113. Here about 1000 men joined his lordship, who new modelled his little army; but I must leave him for a while, till I relate some interveening particulars.

On the 6th of *May*, ' *John MacGhie* of *Larg* in *Gal-loway* deceased, *J. Russel* of *Gatcraig*, and *John Russel* of *Arnes* in *Dumbarton-shire*, were forfeited, and their blood tainted; and the two last ordered to be executed when apprehended, for accession to *Bothwell*.

J. Mac-
Ghie,
&c. sin-
ed.

The same day *Peter Gillies* in *Muirend-side*, *John Peter Brice* in *Westcalders*, *William Finneson* or *Fiddison*, and *Thomas Young*, both of the parish of *Carluke*, and *John Binning*, were hanged upon one gibbet, without being suffered so much as to pray at their death. *Peter Gillies* suffered considerably for his non-conformity, during some of the preceeding years; but the day before the *Highlanders* came to *Falkirk*, *Mr. Andrew Ure*, the curate of *Muirend-side*, got a party sent to his house next day. Accordingly he and *John Brice* were both apprehended, and *Peter* was threatned with immediate death, in presence of his wife, who was brought to bed but a few days before, and was hurried away, without being suffered either to speak to her, or change his clothes. A-

Gillies,
&c. hang-
ed.

bout

1685. *W* bout an hour after a party came back, and told her that he signified that she knew where his arms were, and that if she discovered them he should not be shot. She calmly told them, *he had no arms that she knew of; and if they got power to take his life, she would endeavour to say, Good is the will of the Lord, and he, who did all things well, could not wrong her nor hers.* This put them into such a passion, that they threatened to burn her where she lay, &c. They rifled the house, and took whatever they could carry with them, except some Bibles, which threw away. The two men were tyed together, and driven before them. When they were got about a few miles, they tyed a napkin about Peter's face, set him on his knees, with a file of musqueteers before him, and kept him half an hour in this posture, and then carried him to the west country. As they marched through the parish of *Carluke*, they apprehended *William Finneson* and *Thomas Young*, and carried these four prisoners to *Mauchlin*, and seized one *John Binning* keeping some cattle, and took their bibles from them. The day they were carried to *Mauchlin*, *Peter Gillies* wrote a most affectionate pious letter to his wife; and, when there, they were examined by lieutenant-general *Drummond*, indicted on the 5th of *May*, and a jury of fifteen soldiers was impannelled, who, on the 6th, condemned them to be hanged at the town's end; which being done, the soldiers and two countrymen made a hole in the earth, and threw them all in together.

Act a- On the same 6th of *May* the parliament passed three
gainst the acts. The first was against the covenants, by which it
covenants. was declared, 'that the giving or taking the national co-
 ' venant, as explained 1638. or of the league and cove-
 ' nant, (so commonly called) or writing in defence there-
 ' of, or owning them as lawful, or obligatory upon
 ' themselves, or others, shall infer the crime and pains
 ' of treason.' This was a *home-thrust*; but very agree-
Remarks. able to the first parliament of a *popish* king, and highly
 proper for the introduction of *popery*, the national cove-
 nant having, ever since the reformation, been accounted
 the barrier against the Roman ANTICHRIST. Great con-
 tempt had been cast on those sacred engagements, by the
 first parliament after the restoration; but now the giving
 or taking of them, nay, the writing in defence of them,
 or the bare owning of them as lawful and obligatory,
 are declared treasonable. This was certainly iniquity
 establi shed

established by a law; and whatever slights are, or have been cast on these covenants, yet they were the glory of the nation; and it has been unanswerably proved, that nothing is contained in those solemn transactions, but what, as my author justly observes, prior to the super-added religion and ty of these oaths, was morally obliging on the consciences of all by the divine law. In short, this was an act that could never have been made but by APOSTATE protestants under a popish prince.

By their next act the conduct of the council and their commissiouners, in having fined husbands for their wives withdrawing from ordinances, was approved of and declared legal; and the same conduct was ordained to be observed in all time coming. It is sufficient here to observe, that this parliament declared a practice legal for which there never was any law.

The 3d act confirmed the sentence of forfeiture, and all the proceedings against J. Porterfield of Douchal *, declaring the same to be agreeable to the laws of the kingdom; and enacted, that the concealing and not revealing of supplies given to, or demanded for traitors, is treason, and to be judged accordingly.

On the 8th the parliament passed other three acts. By the first it was ordained, that all who shall afterwards preach at house or field-conventicles, or be present as HEARERS, at field-conventicles, shall be punished with death and confiscation of goods. This act discovers the true spirit of Antichrist, and nothing can be offered as an excuse for it, but that those at the helm were either papists, or acted from the principles of slavery and oppression. It was reckoned a house-conventicle, if five more than the family were present; so that whoever were guilty of preaching, (not against the government; for, had that limitation been made, there might have been some colourable pretence for this severity) in such cases, were to be punished with death. If there was sermon in any house where any were hearing without doors, that was a field-conventicle; and now not the preacher only, but the hearers of it, were by this act condemned to die. If the reader consider Vol. I. p. 274. that there are some limitations there, but here are none, he cannot but be furnished with materials for proper reflexions.

I pass over the act for judicial confessions, and only observe, that the last act passed this day, declared all

1685. subjects, who refused to accept the offices of magistrates, justices of the peace, constables, officers of the militia, or any other employment laid upon them by his majesty, or his council, to be fineable for their contempt; so that it must be a happiness to be out of *Scotland* at this time.

Proclamation.

On the 11th of *May* the council issued a proclamation, ordering all capable of bearing arms to be ready. This was no more than might have been expected, considering the news they must have received concerning *Argyll*; but the blood shed this day may justly fill all, who have any bowels of compassion, with indignation and horror.

M. MacLauchlan and M. Wilson drowned at Wigtoun.

It was this 11th of *May* that *Margaret MacLauchlan* and *Margaret Wilson* were cruelly executed at *Wigtoun*. The reverend Mr. *Rowan*, minister at *Pemningham*, where *Margaret Wilson* lived, was at pains to have the circumstances of this affair well vouched by credible witnesses, from whose attestations my author gives this narrative.

Gilbert Wilson, *Margaret's* father, was episcopalian, and nothing was objected against the regularity of her mother; but their children would by no means conform, and were therefore obliged to flee to the hills, bogs and caves, to avoid the fury of the persecutors, though they were scarcely of age to be obnoxious to the laws then in force. Mean while their parents were charged, at their highest peril, not to harbour or supply them, not to speak to them, or so much as see them, without informing against them; and their father was fined for their alledged irregularities, and otherways harrassed by the quartering of soldiers, and, by the oppressions he endured, was reduced from a considerable affluence, being once worth 5000 merks, to extreme poverty.

His son *Thomas*, a youth of 16 years of age, was forced to the mountains last *February*, and continued a wanderer till the revolution; after which he served in *Flanders* under king *WILLIAM*, and, by his industry, procured as much as enabled him to live in the same place where his father had done before him.

His two sisters, *Margaret* and *Agnes*, were obliged, in the beginning of this year, to wander through *Carrick, Galloway* and *Nithsdale*; but when there was some abatement of the severities, upon the late king's death, they ventured to *Wigtoun* to see some of their suffering acquaintances,

quaintances, particularly *Margaret MacLauchlan*, and *1685*, were betrayed by one *Patrick Stuart*, who, under colour of friendship, invited them to drink with him; and, upon their modestly refusing to drink the king's health, went and informed against them, and brought a party and apprehended them. As if they had been the greatest malefactors they were put into the *thieves-hole*, and, after some time, were removed to the same prison where the said *Margaret MacLauchlan* was confined.

Margaret MacLauchlan was a widow, and about 63 years of age, a woman of more than ordinary piety, prudence and discretion, and nothing could ever be laid to her charge but *non-conformity*, and refusing the wicked oaths then imposed. She was apprehended on the Lord's day when performing family-worship, and clapped up in prison, where she met with cruel treatment. At last she, together with *Margaret* and *Agnes Wilsons*, were, about the end of *April*, brought to their trial before the laird of *Lagg*, colonel *David Graham* sheriff, major *Windram*, captain *Strachan*, and provost *Cultrain*, and were indicted for rebellion, *Bothwell-bridge*, *Ayrsmoss*, and being present at 20 *field-conventicles*, though it was impossible any of them could have been accessory to these risings; but the true cause was their refusing the *abjuration-oath*: And it was very odd that it should be offered to *Agnes Wilson*, who was then scarce 13 years of age; but persecutors stick at nothing. They were brought in guilty, and condemned, by those monstrous judges, to be tyed to two stakes within the flood-mark of the water of *Blednoch* near *Wigtoun*, and there to be drowned. They received their sentence with much composure, and surprising chearfulness in their countenances, accounting it their honour to suffer for Christ and his truths. *Agnes* the young girl got off, upon her father's giving a bond of 100 *L. sterl.* but the other two suffered according to their sentence.

On the last of *April* the council had this affair under their consideration, and suspended the execution to an uncertain time, and recommended to the secretaries to procure their remission. The day to which they were reprieved is blank in the registers; but we may very safely suppose it would be for a longer day than the 11th of *May*, there being scarce time, between the 30th of *April* and that day, to get a return from the secretaries; but, notwithstanding this, the barbarous sentence

was

1685. was executed. *Windram* guarded them to the place of execution, attended by a vast number of spectators to behold such an unusual sight. The old woman's stake was fixed a good way beyond the other, and so she was first dispatched, the more to terrify the other into a compliance with such oaths and conditions as they required; but in vain; for she adhered to her principles with unshaken steadfastness. When the water was overflowing her fellow-martyr, the persecutors asked her what she thought of that sight. She answered, *What do I see but Christ and his members wrestling there. Think you that we are the sufferers? No, it is Christ in us; for he sends none a warfare on their own charges.* When *Margaret Wilson* was at the stake, she sung *Psalms xxv.* from ver. 7. read the 8th chap. of the *Romans*, and then prayed. While at prayer the water covered her; but before she was quite dead they pulled her out; and, when able to speak, she was asked, by *Windram's* orders, if she would pray for the king. She answered, she wished the salvation of all men, and the damnation of none. One deeply affected said, *Dear Margaret, say, God save the king, say, God save the king.* She answered, with the greatest steadiness and composure, *God save him if he will; for it is his salvation I desire.* Upon which, some accounts say, that *Lagg* cried, *D—d b—ch, we do not want such prayers; tender the oaths to her.* It is certain what she said did not satisfy; for *Windram* charged her instantly to take the *abjuration*, otherways to return to the water. She most deliberately refused, and said, *I will not; I am one of Christ's children, let me go;* and immediately was thrust into the water, where she finished her course with joy, and died a *virgin-martyr*, aged 18 years. Upon the whole, the reader must see, that these two suffered entirely on account of their refusing the *abjuration*. Reflexions are needless.

Andrew Hislop murdered. On the 11th of May a young man, *Andrew Hislop*, in the parish of *Hutton*, was barbarously murdered. One of the wanderers happened to die at his mother's house, and was buried in the night-time in the adjacent fields; but, the grave being discovered, *Sir James Johnstoun* of *Wester-raw* came with a party, and barbarously dug up the body; and finding that the corps came out of widow *Hislop's* house, they pillaged and pulled the house down, and drove her and her children to the fields. *Claverhouse* seized this *Andrew* on the 10th of May, and

and brought him to *Wester-row*, who, to signalize his loyalty, would have him dispatched in the fields, and accordingly passed sentence of death upon him. *Claverhouse* was back ward at this time, and urged for a delay; perhaps the impressions of *J. Brown's* murder were not yet worn off, but *Wester-row* pressed it, till *Claverhouse* at last yielded, saying, *The blood of this poor man be upon you, Wester-row; I am free of it.* Then he commanded a Highland captain, who was there, to order the execution; but he, drawing his *Highlanders* to a convenient distance, swore, that *her main sell would fight Claverhouse and all his dragoons first.* Whereupon he ordered three of his own men to do it. When they were ready to fire, they bid *Andrew* draw his cap or bonnet over his face. Being of an undaunted courage, he refused, and told them he could look his death-bringers in the face without fear, for he had done nothing of which he was ashamed; and, holding up his BIBLE, charged them to answer for what they had done, and were to do, at the great day, when they were to be judged by that BOOK. He was buried where he was shot in *Craighaugh* in *Esldale-muir*. This *Wester-row* was once a covenantor, and an opposer of the TEST, which he at last embraced, and became a bloody persecutor, and died, about the revolution, in great torture of body and horror of conscience.

On the said 11th of May, major *J. Balfour*, captain *J. Maitland*, — *Menzies*, — *MacKenzie*, apprehended three countrymen, *T. Cook*, *J. Urie*, and *R. Tam*, at *Polmadie* near *Glasgow*, and then asked the prisoners if they would pray for king JAMES VII. They said they would pray for all within the election of grace. *Balfour* said, Do you question the king's election? They answered, that sometimes they questioned their own. In a word, they were all three shot within an hour after they were taken. When dead they drew off some of their clothes, saying, they might do good to a soldier; but, perceiving their dogs licking their blood, they threw them on the corpses again.

One murder more was committed on this bloody day. Andrew Lieutenant-colonel *Douglas* found a pious man, one *Andrew MacQuhan*, lying sick of a fever, and, because he was either unable, or unwilling to answer his questions, ordered him to be taken out of his bed on the 10th

1685.

Other three murdered.

Andrew Mac-Quhan murdered.

1685. 10th of May, and carried with him to the Newtown of Galloway, and next day to be shot without any tryal.

J. Kirko. On the 13th of May, James Kirko, in the parish of murdered. Keir, was betrayed by a pretended friend, and seized by captain Bruce and a party of dragoons. When apprehended the captain offered him the *abjuration*, and, upon his modest refusal, ordered him to prepare for present death. Then he sung part of the 116th Psalm, read a portion of scripture, and prayed. He was next offered his life on condition he would discover the haunts of the wanderers. He excused himself, and said he durst not redeem his life at so dear a rate. Whereupon they carried him to *Dumfries* water-sands, and, upon his declining to answer some more of their questions, ordered him immediately to be shot. He begged to be spared till next day. No, no, said the captain, *no more time; the devil a peace you now get made up.* James said, Sir, you mistake it, you cannot mar my peace with God. At this the captain raged, and, speaking to the soldiers, said, *Dogs, make ready; for the devil a peace shall he get more.* Thus he was shot directly without being allowed to pray.

Matthew Donald. About this time one Matthew Donald, who had for some time been in prison at Glasgow for non-conformity, fell sick; and, though he was in a dying condition, was ordered to be carried to Edinburgh. When they came to Calder, he could walk no farther; but the soldiers meeting a sledge on the road, most unhumanly tyed him to it, and dragged him away, so that he died among their hands. But to leave this melancholy subject for a while.

Acts of parliament. On the 13th of May the parliament past the act for supply, and ratified the forfeitures against Robert Hamilton of Monkland, Mr. R. Baily of Jerviswood, and the earl of Argyll; so that the greatest acts of injustice and cruelty were now ratified. The same day they past their act for taking the TEST, by which all protestant heritors, liferenters, &c. were to swear this oath by a certain time fixed in the act, except women. The only remark that needs be made here is, that the TEST seems now to be limited to protestants. The reader may easily guess the reason of this, when he remembers what the king, when duke of York, had threatned, p. 125. In the afternoon they made an act concerning justices of peace, who by this were to be nominated by the council, to have power of proceeding against church-irregularities,

regularities, and a right to the fines of all delinquents except heritors. This was brave encouragement to go on in the work of persecution. 1685.

On the 15th the process against the noblemen and gentlemen, mentioned p. 268. came on before the parliament. The late alledged conspiracy was the pretence; but their opposition to *prelacy* was the real cause. There were present Sir *William Scot*, *Cesnock* elder and younger, *Hay of Park*, *John Weir* of *Newtown*. The rest named in the citation were absent. The king's letter, the advocate's orders to prosecute, the general indictment, were all read, together with a libel or indictment against *Harden* younger, and two additional libels against *Hay of Park* and *Ardkinglafs*; but these things, with other preliminaries, I omit. Noble. men, &c. prosecuted before the parliament.

On the 17th the council wrote to the duke of *Gordon*, and others in the northern shires, ordering them to call forth the heritors, since *Argyll* was now appearing about the western islands. The same day they commanded Mr. *Blackadder* and Mr. *William Spence* to be brought to *Edinburgh*; and, on the 19th, all the heritors on the south side of *Tay* were enjoined to attend the king's host, and lord *Neil Campbell*, *William Cochran* younger of *Ochiltree*, the master of *Melvil*, and *Pringle* younger of *Torwoodlee*, were ordered to enter into the castle of *Edinburgh*. Letter to the duke of Gordon.

It is not to be imagined what ravages the soldiers made upon the news of *Argyll's* landing. Parties continually marched through the south and west, and all non-conformists were sure to feel the effects of their fury. Ravages of soldiers.

One *James Forsyth*, in the parish of *Lochmaben*, was seized and sent prisoner to *Wester-raw*, who offered to let him go, if, with uplifted hands, he would swear and say, *God blefs king JAMES VII.* *Forsyth* asked him what he meant by *bleffing the king*? For his part, he wished him well, and that all spiritual blessings might be upon him. The other replied, he should own him as his lawful king, and that he should pray, Long may he live, and well may he prosper in all his *actings and proceedings*. *James* told him he could not do that, because he was a *papist* and a persecutor. He was next examined by *Claverhouse*; but they were restrained from touching his life; however, they sent him prisoner to *Edinburgh*, and from thence to *Burntisland*. His wife, having come to see him, was sent prisoner with him, though

1685. though she was big with child, and they had nothing to lay to her charge. They were both sent to *Dunotter*, where she was delivered, and died. And this brings me to give a brief account of the peculiar hardships the prisoners met with who were sent thither. My author had this tragical account from the papers of the reverend Mr. *John Frazer*, and the distinct narratives of the forementioned *Quintin Dick* and Mr. *William MacMillan*, who were among these unhappy prisoners.

Mr.
Frazer,
etc. seized.
ed.

Mr. *Frazer* had gone to *London*, for his safety and improvement, about the end of 1678. or beginning of 1679. and continued there till the end of 1684. when he was, with several other *Scotsmen*, seized at a dissenting meeting in *Gutterlane* near *Guildhall*, as Mr. *A. Shields* was preaching.

About
200 pri-
soners
sent
Burnt-
island.

The accounts of *Argyll's* invasion alarmed the *Scots* ministry so, that, in consequence of a hasty resolution, Mr. *John Frazer*, Mr. *William MacMillan*, *Quintin Dick*, *William Niven*, *William Campbell* of *Middle-wellwood*, his brother *John*, and many others in the prisons of *Edinburgh* and the *Canongate*, were, on the 18th of *May*, to their great surprise, taken out of their respective prisons, without knowing what was to be done with them, and carried out of town, under a strong guard, and delivered, at the *Netherbow*, to *Douglas's* regiment, by whom they were conducted to *Leith*. From thence, being in all above 200, they were put into open boats, and hurried off the shore, without being permitted to receive any necessaries from their friends or relations, who never expected to see them more. Next morning, about break of day, they landed at *Burntisland*.

Their
hardships
there,

About 240 were there crowded into two rooms in the prison, where they continued for two days and two nights, were denied liberty separately to ease nature, had nothing allowed for their subsistence, and many of them were not permitted to have bread and water for their money. When thus pent up the laird of *Gosford* came from the council with orders to bring back to *Edinburgh* as many as would immediately swear the oath of *allegiance and supremacy*. About 40 complied; the rest, owning their allegiance, but refusing the *supremacy*, were reserved for farther miseries.

and on
the road.

It would be tedious to mention all their particular hardships on the road. After two days dismal confinement at *Burntisland*, men and women together, they were

were committed to the militia of *Fife*. Most of them had 1683, their hands tyed behind them. They who were so humane as to bring any necessaries for their support, were beat off by the guard. Lieutenant *Beton* of *Kilrinnie* was so cruel as to beat some of the old women among them, and otherways abuse them, because they could not walk so fast as they would have them. In their journey, when thrust into houses and prisons, they were so crouded that they were almost suffocated, and several of the women fainted.

Among other miserable sufferers, was one *Eupham* ^{Suffering} *Threpland*, the wife of *George MacBirnie* merchant in ^{of Eu-} *Dumfries*, who, from her husband's death 1681. under-^{pham} went a scene of trouble. When the rest of the priso-^{Threp-} ners, just now mentioned, were delivered to the guard, a corporal came and told her that she must likewise go with them. Remonstrances were in vain; for tho' she was unable to travel, that was not admitted as any excuse; they placed her behind one of the dragoons, and hurried her after them, without suffering her to take any refreshment; and thus she joined the rest of her fellow-sufferers at *Burntisland*.

At last, on Lord's day, 24th of *May*, they were all, ^{Prisoners} except a few that made their escape on the road, ^{brought to} brought to *Dunotter* castle, and received by *George* ^{Dunot-} *Keith* of *Whiteridge* sheriff-depute of *Merns*. This large ^{ter.} company was thrust into a dark vault, under ground, which had but one small window towards the sea. It ^{Their} was full of mire and deep. In this dreadful place a-^{hardships,} bout 100 of them were pent up almost the whole of this summer, without air, without ease, without room either to ly or walk, and without any comfort except what they had from heaven. They were obliged to purchase the *worst* of provisions at an extravagant rate. They were so suffocated with the smell of the place, and of their own excrements, that, as several of them died, so it was a wonder of mercy any survived such an unparalleled calamity. When they had all continued together in the great vault, the governor was pleased to remove about 40 of the men to another small vault, without any light but what came in through a small crevice. The governor's lady came to see the prisoners, and prevailed with her husband to remove 12 of the men from the 40, and the women, from the large vault, into two rooms, which was a great relief.

1685.

*Cruelty to
those who
attempted
to make
their e-
scape.*

The intolerable hardships these poor people endured put some of them to attempt their escape; accordingly about 25 of them got out one night by the window towards the sea, and crept along a dangerous rock, to the utmost hazard of their lives; but the alarm being soon given, 15 of them were retaken, and most inhumanly beat and bruised; and, when brought back to prison, were put into the guard-house, bound and laid on their backs on the floor, and most dreadfully tormented. *William Niven, Peter Ruffel, and Alexander Dalglish* in *Kilbride* were laid on their backs on a form, their hands were tyed to the foot of it, and a firey match put between every finger of both hands, and six soldiers waited by turns to blow the match, and keep it equal with their fingers. This was continued for three hours, without intermission, by the governor's order. *W. Niven* lost one of the fingers of his left hand. *Alexander Dalglish*, and one more, died of the torture; and several others had their fingers burnt, and the very bone turned to ashes.

*Petition
of Grizel
Cairns,
&c.*

Such were their hardships, that *Grizel Cairns* and *A-lison Johnstoun*, in behalf of Mr. *William MacMillan*, and *Robert Young* wright in *Edinburgh*, their husbands, and the rest of their fellow prisoners, presented a petition to the council, representing their intolerable grievances, and praying for redress. The council, on the 8th of *June*, took their petition under consideration, and ordered the deputy-governor to suffer meat, drink, and other necessaries to be brought to the prisoners, by their friends or servants, at the ordinary easy rates, and to allow Mr. *MacMillan* and *Robert Young* a distant room from the rest, and all the prisoners to have better accommodation. This so nettled the governor, that he drew up a declaration in his own favour, obliging the subscribers to testify that they had good usage, and wanted not conveniencies since they came to *Dunotter*; but there were very few that signed this, the rest absolutely refusing to attest a falsehood. After this, in *July*, the earls of *Errol* and *Kintore* were appointed to examine the *Dunotter* prisoners, whether they owned the king, and would submit to his authority; whether they would pray for him, and renounce the *apologetical declaration*. At last the prisoners were brought south; the consequences of which shall be related in its proper place. *William Campbell* of *Middlewelwood*, with difficul-

ty,

ty, escaped banishment, and came home; but next year 1685. was apprehended, and put in prison in the *Canongate*, from whence he was, after a long imprisonment, released upon paying 1200 merks fine.

On the 22d of *May* the indictment was read in parliament against Sir *John Cochran, Polwart, Torwoodlee*, and the heirs of Mr. *Martin*. Sir *John's* trial came on in the forenoon. All that appeared against him was, that he had conversed with others about proper methods for preventing the ruin of the nation. Mr. *Carstairs's* printed declaration, contrary to former promises, was read. In short, he was brought in guilty, and condemned, as in the sentence against *Jerviswood*. And in the afternoon the same sentence was pronounced against the rest.

Sir John Cochran, &c. condemned.

The same day the parliament passed the act for taking the *oath of allegiance*, whereby they ratified all that the council, the justiciary, and their commissioners had done, in banishing, imprisoning and fining the refusers of the said oath, &c. The reader has seen how much innocent blood was shed on this score, and must judge whether, by this act, the parliament did not bring the guilt of it upon themselves.

Act for taking the oath of allegiance.

Mr. *Renwick*, who still preached in the fields, having, on the said 22d of *May*, preached to a considerable number of his followers, and received several into the societies who professed their repentance for taking the *abjuration* and the *test*, &c. the council, on the 25th, ordered lord *Carmichael* to call all suspected persons to an account, and to take care of the country of *Carrick*, by securing the arms and horses of all suspected persons, the better to prevent the designs of *Argyll*.

Mr. Renwick.

On the 27th the indictment was read against Sir *Thomas Stuart of Cultnesh*, for sending meat and drink to the people at *Bothwell*, his receiving men that came from thence; and, being found guilty, was sentenced to die. His case was much the same with *Blackwood's*, p. 162.

Sir T. Stuart of Cultnesh.

Though the followers of Mr. *Renwick* were not free to join the earl of *Argyll*, on account, as they said, of the too promiscuous admission of persons to trust in that party; and because they could not espouse his declaration, as the state of their quarrel being, as they apprehended, not concerted according to the constant plea of the *Scots COVENANTERS*, yet against the usurpation

1685, pation of a bloody *papist* they published another declaration at *Sanquhar*, on the 28th of *May*, of which I cannot but give the following abstract.

Their protestation and declaration at Sanquhar.

IT hath pleased the holy and wise God to exercise the church of *Scotland*, now of a long time, with wrestling and warfaring under the yoke of cruel oppressions. — All this — we have met with, as just upon the Lord's part, though unjust upon man's, for our manifold sins and iniquities; and, in a special manner, for our not purging our judicatories and armies, when the power was in our hands, of men disaffected to the cause and interest of Christ, — and for inordinate affection to, and lusting after the deceased tyrant CHARLES II. and advancing him to the regal throne, even while known, by many palpable discoveries, — to retain his heart-enmity at the covenanted work of reformation. — And howbeit, — when we were brought to a very small remnant, we did, by open declarations, disclaim his pretended authority; — all which we do hereby ratify and approve.

So now the Lord — having removed the fore-said CHARLES by death, and a few wicked and unprincipled men having — proclaimed JAMES duke of York, though a profest *papist*, and excommunicate person — to be king of *Scotland*, &c. we the contending and suffering remnant of the true *presbyterians* of the church of *Scotland* — do here deliberately, jointly and unanimously, protest against the fore-said proclamation, — in regard that it is the chusing a murderer to be a governor, who hath shed the blood of the saints; — the height of confederacy with an idolater, which is forbidden by the law of God, — contrary to the declaration of the assembly 27th July 1649. and to many wholesom and laudable acts of parliament, — and inconsistent with the safety, faith, conscience and christian liberty of a christian people, to chuse a subject of *Antichrist* to be their — supreme magistrate; — for it could not but be both highly sinful and irrational for us to entrust an enemy to the work and people of God with the interests of both.

Also conceiving that this pretended parliament is not a lawful parliament, in regard that the election of commissioners is limited, — that the members are convicted

convicted of avowed perjury, — are men of blood, 1683,
the chief being convict of avowed murder. —

We do, in like manner, upon these and many other
important grounds and reasons, protest against the
validity and constitution of this present parliament,
— and their proceeding to any approbation or ra-
tification of the foresaid proclamation. —

And farther, seeing bloody *papists*, the subjects of
Antichrist, are become so hopeful, bold and confident,
under the perfidy of the said JAMES duke of York,
and *popery* itself — like to be intruded again —
upon these covenanted lands, and an open door being
made thereunto by its accursed and abjured harbinger
prelacy, which these three kingdoms are equally sworn
against: We do, in like manner, protest against all
kind of *popery*, in general and particular heads, —
abjured most explicitly by our national covenant, abro-
gated, annulled and rescinded by our acts * of parlia-
ment, and against its entring again into this land, and
against every thing that doth or may, directly or in-
directly, make way for the same, disclaiming like-
ways all *sectarianism*, malignancy, and any confedera-
cy therewith.

Moreover, taking to our serious consideration the
low — state of the churches of England and Ire-
land, — all bound in one covenant and solemp league
together, we (in the bowels of Christ) do, in like
manner, admonish you our brethren, — that ye re-
member how far you have sadly failed in pursuing the
ends of our covenants, &c.

Finally, we being misrepresented to many, —
as persons of murdering and assassinating principles,
all which principles and practices we do hereby de-
clare, before God, angels and men, that we abhor,
renounce and detest; as also all manner of robbing
of any, whether open enemies, or others, — and
— all unwarrantable practices committed by any
few persons reputed to be of us, — as the un-
warrantable manner of killing the curate of *Garf-
phairn* —

This then is the substance of their declaration against
popery, when open attempts were made for its intro-
duction; and though it was not so much condemned, as
any of their former declarations, yet they had not the
concurrence of any ministers and professors; and, which
is life.

• Act 3.
• 31.
Parl. 1.
Act 23.
Parl. 11.
Act 114.
Parl. 12.
Act 5.
Parl. 20.
of king
JAMES
VI.

Remarks.
Hind let
loose.
Mr.
Rem
wick's
is life.

1685. is surprising, it was never a ground of persecution from the managers, particularly and expressly declared, tho', as Mr. *Shields* observes, 'for its matter, it was conspicuously consonant, not only to the old principles, but even to the common grounds of *Argyll's* declaration of war against this *usurper, then generally espoused by *presbyterians*.' But to proceed.

* King
James
VII.
Act rati-
fying the
opinion of
the lords,
&c.

On the 2d of *June* the parliament approved and confirmed the opinion of the lords of council and session, *November 1684.* making those guilty of high treason who should own, or refuse to disown, the societies *apologetical* declaration, in so far as it declares, &c. and all the processes that had been, or should be on that score. It would seem one chief part of the business of this parliament was to ratify the former proceedings of the ministry; but it does not appear that they approved of the orders given for *killing in the fields*, THAT being too large a pill to be swallowed, even by such a parliament as this.

Act for
regulari-
ty.

Another act past this day was that for *regularity*; by which it was ordained, that all masters, whether heritors, liferenters, &c. should insert, in all tacks to their tenants, an express clause, whereby the tenant shall oblige himself, that he, his family, cottagers and servants, shall live peaceably and *regularly*, free of all *fanatical* disorders, under the penalty of losing the half of their moveables, each for their own fault; so that, by this act, all *presbyterians* were excluded from having any leases.

Other
acts.

Their next act this day ratified the act and proclamation of council for raising the *hue and cry*; by another act passed this day (for I omit that about adjudications for fines, because I do not understand it) was for securing the kingdom, by which every master of a ship was obliged to bring all his passengers, at their arrival, before the next magistrate, to give an account of themselves; and the same must be done when persons go out of the kingdom, under the penalty of such fines and corporal punishment, on the master of the ship, as the council shall think fit. There were some other acts passed this day which I omit.

Act in-
demnify-
ing the of-
ficers of
state.

On the 4th of *June* they made a very strange act for securing the present council, the secret committee, the judges and officers of the army, and all other commissioners, as follows: 'Our sovereign lord, considering
' the

‘ the great and acceptable services done to his majesty, 1685.
 ‘ by these just now mentioned, and being desirous to
 ‘ secure them for their actings and omissions——doth,
 ‘ with advice and consent of his estates of parliament,
 ‘ indemnify and secure all and every one of them——
 ‘ against all pursuits or complaints that can be raised
 ‘ against them any manner of way, for their actings in
 ‘ his majesty’s service, as likeways for their omissions
 ‘ ——and that as fully as if every particular crime or
 ‘ misdemeanour were particularly specified in a remis-
 ‘ sion under his majesty’s great seal,’ &c.

How powerful are the stings of an evil conscience! *Remarks.*
 Had not the managers been conscious of unprecedented proceedings, it is hardly to be imagined they would have procured such an act as this, which is a standing blot on their memories in the *records* of the nation. Had they acted agreeable to the laws of God and man, or had their consciousness of guilt excited them to seek pardon from the Almighty, for the innocent blood in their skirts, why a parliamentary indemnity? But it is to be feared the pardon granted by a *wicked* parliament will stand them in small stead, when they shall appear before that judge from whose sentence there can be no appeal.

The same day Mr. *Robert Ferguson* was tryed in ab-
 sence, found guilty, and condemned, upon the decla-
 ration of *West* and *Burn*. My author observes, that,
 if there was any formed design against the king and the
 duke, he was privy to it; but none of the rest were any
 ways accessory.

On the 6th *Claverhouse*, with a party, apprehended
 multitudes, and forced many of them to swear never to
 take arms against king JAMES VII. on pretence of reli-
 gion, and carried such as refused about with them pri-
 soners, binding them by two’s and three’s.

On the 10th lord *Annandale* and his party seized
David Halliday in *Glencyre*, and *George Short*, and gave
 them quarters till next day; but when *Lagg* came up,
 he insisted upon having them presently dispatched; nei-
 ther the entreaties of the poor men, nor the declara-
 tion of lord *Annandale* that he had promised them life
 till next day, could prevail; for they were shot, by
Lagg’s orders, just as they lay fettered on the ground,
 and their bodies continued in their gore till next day.

This

1685. This same month *Gilbert Mac Adam*, son-in-law of *James Dun*, having been banished for his non-conformity, and purchased his freedom, returned home; but meeting with some friends for prayer at a house near *Kirk-michael*, a company of militia, under the command of *Colzean*, surrounded the house. *Gilbert*, being most obnoxious, tried to escape; but the soldiers perceiving him discharged their pieces, and killed him on the spot.

James
Brown.

About the middle of this month, as *James Brown* in the parish of *Coulter* was fishing, *Claverhouse* apprehended him, and, had it not been for the laird of *Coulter-alls*, would have shot him presently; but he was carried to the *English* border, and from thence to the prison at *Selkirk*, out of which he happily made his escape.

Other
murders.

There were several other murders in the fields of which I have not their dates, as that of *William Johnston* gardener to the laird of *Fintilloch*, *George Walker* servant in *Kirkcaldy*, and *John Milroy* chapman, who were apprehended by major *Windram*, who, after asking some questions, ordered them all to be hanged at *Wigtown* the day after they were seized. A party of soldiers overtook *Joseph Wilson*, *John* and *Alex. Jamison*, and *John Humphrey* at *Knockdon-hill*, as they were coming from hearing Mr. *Rerwick*, and shot them all except *Alex. Jamison*. The same day a party of dragoons took *Simon Paterfon* and *David Dun*, and, without any trial, hanged them at *Cumnock*. *Peter Inglis* cornet, son to *Peter Inglis*, with some soldiers, decoyed *Thomas Richard* of *Muir-kirk*, an old man of 80 years of age, into a confession that he had entertained some of the wanderers, and then delivered the good old man to colonel *Douglas*, who, without any jury or trial, ordered him to be executed at *Cumnock* next day, notwithstanding the intercession of some ladies of the episcopal persuasion. One *William Paterfon*, son to *Robert Paterfon* in the parish of *Cambusnethan*, was shot, without any trial, by order of captain *Bell*. This good man had endured a great deal of trouble during the former years; but now his troubles were brought to a period. The reader cannot but make proper reflexions on so many murders, and judge who they were that truly deserved to be called murderers and assassins.

On

On the 11th of June the parliament passed an act, 1684. which they called an *address* against the arch-traitor *Archibald Campbell* sometime earl of *Argyll*, wherein *Act a-* they beg that the earl's family, the heritors, ringlead-*gains the* ers, and preachers that joined him, should be for ever *earl of* declared incapable of mercy, and of bearing any honours *Argyll.* or estate in the kingdom, and that all subjects be discharged from *interceding for them* any manner of way. I shall not trouble the reader with remarks on this, it being so well agreeable to the principle of rooting out of hereticks; only I must observe, that the clause relating to the *intercession of the subjects* was reversed in the next session.

Next day *James Napier*, *Allan Atkin*, and *John Peirson*, who had been condemned by colonel *Douglass* *Some pardoned.* at *Cumnock*, for not discovering the rebels, were pardoned.

On the 13th lord *Melvil*, *Montgomery of Langshaw*, Lord and the two *Cesnocks* were separately tried, and all found *Melvil,* guilty of accession to the plot. Mr. *Carstairs's* depo-*Ec.* sitions, contrary to the publick faith, were read against them. Sentence was passed against the first two, as in the other cases; but the time and place of the execution of *Cesnock* elder and younger were referred to the king. Though the *Cesnocks* were afterwards pardoned and released, yet, by peremptory orders from the king, an express was dispatched by lieutenant-colonel *Murray* for apprehending them, and conducting them to the *Bass*. The old gentleman died soon after, and probably his death was hastned by the hardships he underwent.

The same day they passed an act for the clergy, by *Act for* which all the acts, especially those made in the former *the clergy.* reign, in their favour, were ratified, and all murderers and assassins of bishops and ministers were ordered to be punished, *which was reasonable*; and the parishioners, where any attempt should be made, were to pay such sums to their widows as the council should see proper; but this was a punishing the innocent with the guilty. In a word, this act made an attempt to break or rob the houses of the clergy to be death to the invader. My author justly observes, that a becoming ministerial carriage is a better hedge than 20 such severe laws, and that, before the *restoration* and since the *revolution*, *presbyterian* ministers required no such acts in their favour,

1685. He farther observes, that this act was no bar in the way of the projected design of introducing popery, to which, in *Scotland*, prelacy still led the way.

Act annexing to the crown.

By the 40th act of this parliament, the lands of Sir John Cochran of Ochiltree, Sir Patrick Hume of Polwart, Thomas Stuart of Cultnefs, Pringle of Torwoodlee, George late lord Melvil, Da. Montgomery of Langshaw, Cefnock elder and younger, Mr. Robert Martin, earl of Tarras, Mr. Robert Baily of Jerviswood, Thomas Kennedy of Grange, Jo. Porterfield of Douchal, Mr. William and Alex. Gordons of Earlstoun, James Gordon younger of Craighen, were for ever annexed to the crown; but this, with other unjust and oppressive acts, was reversed after the revolution.

Ravages of the army.

On the same 13th of June two regiments of soldiers came into *New-Galloway*, and, separating into two different places, quite ravaged the country; nay, about this time the whole army came to the west country and committed innumerable abuses every where; so that the losses sustained by many, especially about the small village of *Damellingtoun*, are not to be calculated. The lands of lord Stair and Cefnock were entirely plundered. But I must pass these things.

Parliament adjourned.

On the 16th the parliament referred the rest of the prisoners, that were to have been tryed by them, to the justiciary, with power to the lords to proceed against them as if they had been summoned before them; accordingly their process came on next month. The same day the parliament annexed the offices belonging to the earl of Argyll to the crown, and was adjourned to the last Tuesday of October, and afterwards to April next year. Mr. Rapin justly observes, when mentioning some of the acts of this session, that, if what passed in *Scotland* in the reign of king CHARLES I. and during the interregnum, be remembered, this was not the sense of the Scots, but only the opinion of a parliament devoted to the king, and which visibly abused their authority, to establish a form of government directly contrary to the old constitution; but I shall leave the reader to make his own reflexions on this session of parliament, and conclude this chapter with the farther proceedings of the earl of Argyll, till he fell into the hands of his enemies.

Motions of Argyll.

We left his lordship at Tarbet, where he published his declaration to his clan. There he was joined with

1000 men under Sir *Duncan Campbell*; and, having modelled his little army into three regiments, each consisting of not much above 500 men, he determined to have attacked *Ballechan*, who had not above 600 men with him: But Sir *John Cochran*, and others with him, would not go in with this proposal. A council of war was called, where it was resolved, contrary to the earl's sentiments, to invade the *Lowlands*. 1685.

In consequence of this the forces were transported, the best way they could, to *Cowal* in *Argyll-shire*; and Sir *John Cochran*, colonel *Elphinstoun* and major *Fullerton* were sent from thence to the *Lowlands*: But by this time the coasts were guarded, and some *English* frigates were come up; so that Sir *John*, not being able to land in the *Largs* in *Ayr-shire*, was forced to put in about *Greenock*, in order to have intelligence and subsistence for their men. Upon their landing they put to flight some of the militia; then Sir *John* entered the town of *Greenock*, and endeavoured to prevail with the inhabitants to join in defence of religion and liberty. He seized only about 40 bolls of meal, instead of 200, which *Argyll* had ordered him to bring for the use of the army, and then, upon a false alarm, retired in the night, and sailed back to *Cowal*, and there, when it was too late, declared that it was folly to attempt the *Lowlands* as yet, since they were every where well guarded by soldiers and the militia. *Their attempt on the Lowlands frustrated.*

Upon this *Argyll* renewed his design upon *Inverary*; and for this end divided his small army, and gave the one half of it to colonel *Rumbold*, whom he sent to guard a pass against the marquis of *Athole*, and raise the country as much as he could. He took the other half with himself to *Inverary*, but the wind being contrary for several days, and the *English* frigates come up, he was obliged to shelter his vessels under the castle of *Allangreg*, which having fortified as well as he could, and left two companies to guard it, he then marched by land to *Inverary*, resolving to attack the marquis of *Athole*. Colonel *Rumbold*, in the mean time, marched with about 500 men, and seized the castle of *Ardkinglass*. The marquis of *Athole* sent off a large fishing-boat, full of men, to know the colonel's strength: But captain *Duncanson*, manning a fishing-vessel, chased the other within pistol-shot of the town. However, some regiments were ordered from *Inverary* to retake the castle. *The earl crossed in his design upon Inverary.*

1685. title of *Ardringlass*: But *Argyll* by this time was got up with *Rumbold*. The enemy made a halt; upon which the earl, with 5 companies of foot and two troops of horse, went to attack them, and, after putting the first body of them to flight, returned to the castle of *Ardringlass*, resolving, next day, to attack *Inverary*, notwithstanding the marquis of *Athole* was four times his number: But some of the gentlemen who were with his lordship, and had all along differed from him, threatned to quit all and go to the *Lowlands*; so that he was obliged to leave the castle of *Allangreg*, with three companies of foot commanded by the laird of *Lapnesi*, and to order the rest, under *Rumbold* and Sir *Duncan Campbell*, to meet him at the church of *Glenderule*, which they did.

Obliged to march to the Lowlands, * p. 315. Two days after this the garrison left in *Allangreg*, being, as they said, destitute of provisions, abandoned that castle. The prisoners taken at *Orkney**, being left behind, acquainted the captains of the *English* frigates whenever they came ashore, so that all fell into their hands. This disaster obliged *Argyll* to march into the *Lowlands*, under a thousand disadvantages; for, when he crossed the water of *Leven*, a little above *Dumbartoun*, he found all the king's army and militia ready to oppose him, commanded by the earl of *Dumbartoun*.

and to retire in the night. The earl and *Ayloffe* were for engaging, knowing that, though they were thrice their number, yet they had many friends among them: But his lordship was again over-ruled, and a retreat was resolved on. Accordingly, at night, they marched off, leaving great fires in their former camp: But their leaders, mistaking their way, led them into a moss, which quite disordered them; so that, though they were a good army at night, there were not 500 of them together in the morning. *Rumbold* and many brave men lost their way. They who kept together came to *Kilpatrick*, and put a company of militia to flight. Sir *John Cochran*, Sir *Patrick Hume*, and others, crossed the *Clyde*. At length a skirmish happened at *Muirdyke* in *Lochwhinnoch*, in which captain *Clelland*, and some others, were killed, and several wounded. On Sir *John's* side a gentleman of the name of *Campbell* was killed, major *Henderson* and Mr. *Archer* were wounded. The last of these was carried into a shepherd's house, where the enemy found him,

him, and brought him to *Edinburgh*. After this they 1685. dispersed, and thifted for themselves the best way they could.

The earl, in the mean time, according to his own account, finding it impracticable either to rally his friends, or return to *Argyll-shire*, attempted to disguise himself under the appearance of a countryman: But he fell from one difficulty to another till he was attacked at the water of *Inchanan*, on the 17th of *June*, by two of the militia, who laid hold of him, one on each side, all on horse-back. He grappled with both, and one of them with the earl went to the ground. His lordship got up and rid himself of them both, by presenting his pocket-pistols, and would have made his escape, had not five more come and knocked them down with their swords. When they knew who he was, they seemed to be much concerned; but durst not let him go. He was then brought in prisoner to the earl of *Dumbarton* at *Glasgow*: And thus this noble peer was once more in the hands of his enemies. Upon the whole, we may see the mischief of divisions: For, had not his lordship, and those gentlemen embarked in the same cause, differed in their sentiments, it is probable they would have been more successful. Bishop *Burnet* lays the chief blame on *Argyll*, and others on Sir *John Cochran* and those that adhered to him: But it is not unlikely there were faults on all sides. There were several taken as well as *Argyll*, the chief of whom were Sir *John Cochran*, *Rumbold*, *Ayloffe*, and the above mentioned *Thomas Archer*, *Gavin Russel* and *David Law*; all these, except Sir *John Cochran* and *Ayloffe*, were executed at *Edinburgh*. Above twenty, who were taken in the *Highlands*, were hanged at *Inverary*; and great numbers were banished to *America*. But I must now proceed to

C H A P. XIII.

Of the execution of the earl of *Argyll*, *Rumbold*, *Mr. Thomas Archer*, and others; the proceedings of the council and justiciary; the sufferings of the banished, and other branches of oppression to the end of the year.

WHEN the earl of *Argyll* was apprehended, he was first brought to the town of *Renfrew*, and while *Argyll* brought to *Edinburgh*.

1685. while refreshing himself there, he said to *Thomas Crawford of Crawfordsburn*, to whom he had given a silver snuff-box in token of his respect, ' *Thomas*, it hath pleased providence to frown on my attempt; but remember, I tell you, ere long, ONE shall take up this quarrel, whose shoes I am not worthy to carry, who will not miscarry in his undertaking.' From *Renfrew* his lordship was taken to *Glasgow*, and from thence to *Edinburgh*, under a strong guard; and, according to the order of council, dated *June 26.* was carried up the street, with his hands tyed behind his back, bare-headed, in the midst of captain *Graham's* guards; the hangman went before him, the horseguards before and behind: And thus his lordship was conducted, in dismal procession, to the castle, and there laid in irons.

Debate at
Edin-
burgh.

There was a great debate at *Edinburgh*, whether to bring him to trial for his *present* attempt, or to execute him on the sentence pronouced against him 1681. but such was the zeal of the present managers, that they would not seem to call the justice of their former sentence in question, tho', by the way, all the world must look upon it as the most unrighteous sentence that could be passed; and therefore they looked upon him as already condemned. They were at great pains to bring him to such a confession as might involve others, frequently visited him, brought him several times before their committees, threatned him with *torture*, and put many questions to him: Thus matters stood with him, till an express came from court for his execution.

Rum-
bold
brought to
Edin-
burgh.

Mean while colonel *Rumbold* was taken, and, on the 22d of *June*, was ordered, by the council, to be conducted to the castle in a cart, with a rope about his neck, fettered and bare-headed. The hangman's man led the cart, col. *Graham* attended with the guard, with drums beating and colours flying, and next day the advocate was ordered to prosecute him before the *justiciary*.

Procla-
mation of
council.

On the 24th the council issued a proclamation for apprehending those concerned with the earl of *Argyll*, which I shall not here insert. It is easy for the reader to conceive the strain of it. Only I cannot but observe, that it was something strange to publish to the world, in this proclamation, that colonel *Ayliffe* endeavoured to kill himself; for what was that to the case in hand?

My

My author says, that the fact was very much questioned by persons of good sense who lived at that time: 1685.
 But, if it was true, it had no relation to *Argyll's* attempt; only the managers were willing to improve every circumstance. Bishop *Burnet* tells us, 'That great discoveries being expected from him, he was brought to *London*, where the king examined him in person; but could draw nothing from him but one severe repartee. Being fullen, and refusing to discover any thing the king said to him, Mr. *Ayloffe*, you know it is in my power to pardon you, therefore say that which may deserve it.' *Ayloffe*, it is said, replied, *That, tho' it be in your power, yet it is not in your nature to pardon.* Mr. *Ayloffe* was nearly related to the king's children, being nephew to the old earl of *Clarendon* by marriage; for *Ayloffe's* aunt was his first wife; so that, had the consideration of this moved the king to pardon him, *that*, says the historian, would have been an effectual confutation of his bold repartee: But he suffered as well as others.'

On the 25th the council ordered col. *Rumbold* to be executed in the following manner; that, on the morrow, on his being found guilty by the lords of *justiciary*, he be taken from their bar to the *low-council-house*, and from thence to be led down by the hangman, with his hat on, to the scaffold, and there to be drawn up the gibbet with a rope about his neck, and immediately to be let down, his heart to be cut out by the hangman, and shewn to the people on the point of a bayonet or dagger, saying, *Here is the heart of a bloody traitor and murderer*, and then to be thrown into a fire prepared on purpose on the scaffold; after that his head to be cut off and shewn to the people in the same manner; and then his body to be quartered, one part of it to be affixed at the port or tolbooth of *Glasgow*, another at *Jedburgh*, a third at *Dumfries*, the fourth at the *Newtown* of *Galloway*, and his head on a high pole at the *West-port* of *Edinburgh*. He bore the base insults of the council with much composure, owned the crime he appeared for, and expressed his joy in his sufferings; whereupon one of them called him a *confounded villian*. He replied with the utmost sedateness, *I am at peace with God thro' Jesus Christ, to men I have done no wrong, what then can confound me?*

On

1685. On the 26th he was arraigned before the *justiciary*, brought in guilty, condemned and executed. He was so weak, when brought to the scaffold, that, not being able to walk alone, he was supported by two officers. When, in his last speech, he blessed God that it was for no ill account, but for owning and adhering to his distressed work and interest, that such a lot was carved out for him, the drums beat; at which he shook his head, and said, *Will they not suffer a dying man to speak his last words to the people?* And then went on, declaring his confidence of the righteousness of the cause he was engaged in, and, among other things, said, 'I confess enemies think they have got their foot on the neck of the *protestant* interest now; but I am persuaded it is as true as I am this day entering into eternity, that *Christ* shall be glorious in these lands, and even in poor Scotland, and that shortly: And it is like many who see me die this day may be witnesses thereof; yea, he shall govern these nations with a rod of iron, and that to the terror of his enemies.' After this he prayed, and, when praying for the extirpation of *popery*, *prelacy*, and other superstitions, the drums beat again. He forgave the executioner and all men, and, when he had again prayed within himself, he gave the signal, and was executed according to the sentence.

Burnet,
p. 633.

p. 634.

Thus fell *Richard Rumbold*. This was the person who dwelt in *Rye-house*, where it was pretended the plot was laid for murdering the late and present king. He denied the truth of that conspiracy. He owned he thought the prince was as much tyed to the people, as the people were to the prince; and that, when the king departed from the legal measures of government, the people had a right to assert their liberties, and to restrain him. He did not deny but that he had heard many propositions at *West's* chambers, about killing the two brothers; and upon that he had said, it could have been easily executed near his house; upon which some discourse had followed how it might have been managed: But he said, it was only talk, and that nothing was either laid, or so much as resolved on.' He farther said, 'he did not believe that God had made the greater part of mankind with saddles on their backs, and bridles in their mouths, and some few booted and spurred to ride the rest.' But to return to *Argyll*.

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His lordship's carriage, before his execution, was both pious and edifying. While he was abroad, after his escape, he shewed himself to be a nobleman of singular piety, his afflictions being of great service to him. He spent the 28th of *June*, which was the *Sabbath* before his death, in a most becoming way. The manner in which he took his leave of his sister, the lady *Lothian*, was very moving. While in the castle he had these remarkable expressions in conversation with a dear friend. 'My gross compliances are now sad and grievous to me; for *these* the Lord would not honour me to be instrumental in his work; but I desire to die in the faith of a deliverance to his church and people; and though I will not take upon me to be a prophet, yet, having strong impressions thereof upon my spirit, I doubt not but deliverance will come very suddenly, and I hope I shall be well. It is true my family is low, and I have nothing to leave them; but if they seek God they will be wonderfully seen to and provided for; and if they do not, I care not what come of them. I fear some have eyed me too much as an instrument. Lean not to the arm of flesh.'

1688.
Argyll's
behaviour
in prison.

On the 29th a letter from the king was read in council, ordering them to bring the earl to condign punishment within the space of three days after the receipt of it, and, in the mean time, to bring him to a confession of his associates and correspondents, &c. In consequence of this his lordship was ordered to be beheaded next day, and his head to be affixed on the tolbooth of *Edinburgh* on an high pin of iron. Accordingly on *Tuesday*, *June* the 30th, *Argyll* was executed. This day he wrote and ordered others to write several letters to his friends, particularly to madam *Smith*, to his excellent lady, and others, which the reader may see in my author. He declared, in the morning, to a friend, that he had more joy and comfort this day, than the day after he escaped out of the castle.

On the
day of his
execution.

His lordship dined with a grave and becoming cheerfulness in the castle. 'Mr. *Charteris*, says bishop *Burnet*, happened to come in, as he was ending dinner, to whom he said pleasantly, *sero venientibus ossa*.' And, being used to sleep a little after meat, he retired to the closet, and laid himself down on a bed, and, for about a quarter of an hour, slept as sweetly and pleasantly as ever. Meanwhile an officer of state came in and in-

At dinner;

1685. quired for him. His friends told him, that his lordship, as usual, was taking a nap after dinner, and desired that he might not be disturbed. When he saw the earl in that posture, he was so impressed, that he hastened from the castle to a relation's in the *Castlehill*, and, throwing himself on a bed, discovered great distress of mind; and, when asked the cause of his trouble, said, I have been in at *Argyll*, and saw him sleeping as pleasantly as ever a man did within an hour of eternity; but as for me, &c. The time being come when *Argyll* must for ever leave the castle, he was, by the council's permission, allowed two *episcopal* ministers to attend him, viz. Mr. *Annand* dean of *Edinburgh*, and Mr. *Laurence Charteris*; for they would permit no *presbyterian* ministers to wait on him. Their discourse with him, and prayers on this tragical occasion, were very pertinent and becoming; and his lordship delivered a very judicious and pious discourse to the spectators, in which, among other things, he said, 'Job tells us, *Man that is born of a woman is of few days, and full of trouble*; and I am a clear instance of it. I shall not now say any thing of my sentence or escape,—nor of the ground of my return;—that which I intend mainly to say now, is, to express my humble, and, I thank God, cheerful submission to his divine will, and my willingness to forgive all men, even my enemies.—I know afflictions spring not out of the dust,—are not only foretold, but promised to christians, and are not only tolerable, but desirable;—for God chastises his own, to refine and not ruin them, whatever the world thinks.—I know many, like *Hazael*, 2 *Kings* viii. 13. go to excesses they never thought they were capable of. Let rulers and others seriously read and weigh *Prov.* i. 20, &c. 2 *Chron.* xxv. 6—16. *Prov.* xxiv. 10, 11, 12, and xxviii. 10. and *Isa.* lix. especially verse 15. and avoid what is bad, and follow what is good. For me, I hope, by God's strength, to join with *Job* xiii. 15. and the *Psalmist* xxiii. 4. and to trust, as *Psal.* cxlviii. 11. and shall pray, as *Psal.* lxxiv. 19, &c. cxxiii. 6, &c. and *Luke* i. 74, 75. and shall hope, as *Psal.* xciv. 15. I do hereby forgive all that directly or indirectly have been the cause of my being brought to this place,—and pray God may forgive them, &c.' When he had ended, he turned to the south side of the scaffold, and said, *Gentlemen, I pray you do not misconstrue my behaviour*

On the
scaffold.

His
speech.

vour this day. I freely forgive all men their wrongs and injuries done against me, as I desire to be forgiven of God. Mr. Annand repeated the words louder to the people, as he did when his lordship spoke to the same purpose from the north side, and said, *This nobleman dies a protestant.* The earl stepped foreward again, and said, *I die not only a protestant, but with a heart-hatred of popery, prelacy, and all superstition whatsoever.* Having taken his leave of his friends, he at last kneeled down, and, embracing the *maiden, said, *This is the sweetest maiden I ever kissed, it being the mean to finish my sin and misery, and my inlet to glory, for which I long.* Then he prayed a little within himself, thrice uttering these words, *Lord Jesus receive me into thy glory;* and lifting up his hand, which was the signal, the executioner did his work.

Thus died the noble earl of Argyll, a martyr not only to the protestant religion, but also bearing his last testimony against prelacy as well as popery. His too great compliances with the managers, previous to the affair of the TEST, lay heavy upon him to the last: But nothing grieved him so much as the unhappy vote he gave against Mr. Cargil. Passing these things, as he was executed, not on account of his late attempt, but in pursuance of a sentence past three years before, for his explication of the self-contradictory TEST, his death was looked upon as no better than murder.

The circumstances of Monmouth's invasion on England I must leave to the English historians. On the 6th of July his army was defeated near Bridgewater, and himself soon after taken and beheaded. The cruelties committed by Kirk and bloody Jeffries in the west are well known. Kirk ordered several of the prisoners to be hanged up without so much as the form of law, he and his company looking on from an entertainment they were at. At every new health a new prisoner was hung up. And they were so brutal, that, observing the shaking of the legs of those whom they hanged, it was said among them, they were dancing, and upon that musick was called for. It is said, 'That Jeffries condemned above 500 persons in a few towns of the west, whereof 229 were executed; some found the benefit, I cannot say of the king's mercy, but of the judge's avarice, who was ready enough to grant a pardon to such as could pay well for it; and it seems

* The instrument for beheading.

Cruelties in the west of England,

p. 647.

Bennet's Memorial, p. 299.

par-

1685. pardons were sold by him at all sorts of prices, from 10 L. to 14000 guineas; which last sum this judge of iniquity did not scruple to take from Mr. Sp—s, and with which he bought an estate, that may justly be called the *field of blood*. But to return to Scotland.

Ravages
committed
on the
lands of
Argyll.

As soon as the marquis of *Athole* and *Breadalbin* heard of *Argyll's* being taken, they exercised great severity upon the earl's friends and tenants. Four or five gentlemen of the name of *Campbell*, after having received quarter and protection when they surrendered, were sent to *Athole* by one of *Argyll's* near relations. The marquis ordered them and 18 more to be put to death. He would have proceeded in that work, had not even the COUNCIL discharged more lives to be taken. Parties were afterwards sent to pull down houses, break mill-stones, and burn woods, and the whole shire of *Argyll* was dreadfully depopulated, harrassed and plundered for thirty miles round *Inverary*. The earl's estate was given to strangers, his children brought to extreme necessity, his creditors defrauded, his brother lord *Neil-Campbell* was forced to go at the peril of his life to *America*, and leave his lady and family behind. In a word, the heritors and gentlemen of the name of *Campbell*, being generally averse to *popery* and *prelacy*, were universally oppressed through the kingdom.

Banished.

On the 9th of *July*, 15 prisoners of the meaner sort, taken with *Argyll*, were banished to *New-England*.

Mr. Archer.

On the 13th Mr. *Thomas Archer* was before the council, and by them referred to the justiciary; but, as his tryal did not come on before the 12th of next month, I must relate the intervening transactions.

Order for
burning
on the
cheek, &c.

On the 14th the magistrates of *Glasgow* presented a petition to the council, signifying that their prison was pestered with many silly old women, who were a great charge to the town; whereupon the council ordered them to be whipt and burnt on the cheek severally, who were guilty of resett and converse; and that such of them who were guilty of ill principles should be whipt, and all dismissed.

Sir Will.
Den-
holm,
&c. con-
demned.

On the 16th Sir *William Denholm* of *Westshiels*, Mr. *James Stuart*, son to Sir *James Stuart* provost of *Edinburgh*, and Mr. *Gilbert Elliot*, who, with several others, were by the parliament referred to the justiciary, were tryed and found guilty of being concerned with the late earl of *Argyll*, and condemned to be executed when apprehended. My author tells us, that there is no more

more in the registers concerning the rest, whom the 1685. parliament referred to the criminal court, such as the deceased earl of Lowdown, Sir James Dalrymple of Stair, Colin Campbell of Ardkinglass, John Weir of Newton, John Hay of Park, Sir William Scot younger of Harden, Andrew Fletcher of Saltoun, Hume of Bassenden, and Walter Lockhart of Kirkcoun, who were all forfeited.

The same day David (afterwards Sir David) Stuart D. Steward of Cultnefs, and Mr. William Spence servant to the late earl of Argyll, were before the justiciary, and found guilty of being with the said earl, and condemned to be hanged at the cross of Edinburgh on the 22d; but providence interposed in their behalf, so that the sentence was not executed.

On the 24th the council ordered between 70 and 80 Numbers of the prisoners in Edinburgh, Canongate, &c. to be banished to the plantations, for refusing the oath of allegiance, and ordained Thomas Stodart, James Wilkie, and Matthew Brice, prisoners in the tolbooth of Edinburgh, and Archibald Campbell prisoner in Paul's-work, who, as the sentence of the council bears, did misbehave when before them, to be laid in irons, and prosecuted before the justiciary.

The same day they empowered the earls of Marshal, Errol, Kintore, Panmure, and the lord president of session, to examine the prisoners in Dunnotter-castle, and banish all of them, whether men or women, not already banished, who should refuse the oaths of allegiance and abjuration. A few were set at liberty upon taking the oath of allegiance.

On the 28th the council had above 30 more of the prisoners at Edinburgh before them. Twenty nine were ordered to be banished, of whom there were four who had been with Argyll, 6 women and 19 men; the men, except those who had been with Argyll, were sentenced to have one of their ears cut off by the hand of the hangman, and the women to be burnt in the cheek, before they were sent abroad.

According to the order of time I must now speak of the followers of Mr. Renwick. My author says, that some essays were now made to bring Mr. Renwick, and those who adhered to him, from their heights, in order to bring about an union between them and some of the presbyterian ministers who were wandering up and down the country; and that, for this end, on the 29th of July,

1685. *July*, these two excellent persons, Mr. Robert Langlands and Mr. George Barclay, being informed of one of their meetings, desired to come to it: Accordingly they attended one of the general meetings at *Kypes*, in the shire of *Ayr*, to see what might be done to bring these people to hear and join with other suffering ministers; that a good many of the meeting were for this, and so the conference began. These two ministers were on the one side, and Mr. *Rerwick*, *George Hill* and others on the other. The ministers proposed the laying aside all debates about former differences and practices, and an union in those things wherein they were agreed; and moved that what they could not agree in should be referred to a competent judicatory. This was refused by the other side, who insisted, that an enumeration of publick defections should be drawn up, which the ministers did not come into, as what would rather widen than heal their present breaches. Thus the conference ended, after they had been together some days. However, it produced this effect, that many discovered their inclinations to join with other suffering ministers.

Another
account,
p. 14.

But it seems necessary to give the reader the account of this conference as published in the *informatory vindication*, in their own words. 'After the defeat of *Argyll's* expedition, at the desire of some ministers——
' we had a conference with them *July 22. 1685.* in
' which, instead of allaying differences, the proposals
' —— made for union did heighten our breaches, both
' with them and among ourselves; —— for though they
' offered an accommodation, yet, in conference——
' they maintained, and did not disown that which bred
' alienation, to wit, a previous INFORMATION they had
' sent to strangers, accusing us of heavy things; that we
' had not only cast off ALL magistrates, but had constitute
' among ourselves ALL KINDS of magistrates, and were
' for cutting off ALL, as open enemies, who did not ac-
' knowledge our imaginary government; that our societies
' were only an erroneous faction, and had no power of cal-
' ling pastors, &c. Which information though they did
' extenuate, alledging that the copy produced was for-
' ged, yet they confessed some such information was
' written, and went on to prosecute, in effect, the same
' crimination, and said they excerpted all out of our
' publick papers; and farther challenged us for falsely
' accusing them in our protestation against the *Scotish*
' congregation

‘ congregation at *Roterdam*, where they, with others, 1685.
 ‘ were promiscuously charged with sundry things in the
 ‘ gross, which they were not guilty of. We confessed
 ‘ it was an oversight, conjunctly to accumulate these
 ‘ charges without distinction; but taking them separately
 ‘ we offered to make out every thing there charged
 ‘ upon the names inserted.

‘ Furthermore, in inveighing against Mr. *Renwick’s* p. 15.
 ‘ ordination, they accused the church of *Holland* of *erastianism*, and of three sprinklings in baptism, &c. to
 ‘ which he replied, *That he had received his ordination*
 ‘ *from the presbytery of Groningen; and they being*
 ‘ *foreigners, and not chargeable either with our defecti-*
 ‘ *ons, or any declining from the testimony of their own*
 ‘ *church, but—groaning under some corruptions, from*
 ‘ *which they were never reformed, would come under an-*
 ‘ *other consideration than the ministers of our own church*
 ‘ *defending a course of defection.*—

‘ The accommodation they offered was upon terms
 ‘ which we thought destructive to our testimony, to lay
 ‘ aside all debate, and let bygones pass, and go on in
 ‘ the publick work, which we did not think was the
 ‘ way to heal our sore; but we offered, if differences
 ‘ and exceptions could be removed, in a right and honest
 ‘ way, we would be most willing to join with them,
 ‘ which exceptions were given in in these following
 ‘ particulars, viz. *Their leaving the country, and desert-*
 ‘ *ing the publick work, when it was so necessary to concur*
 ‘ *in the testimony, in a time of so great a famine of the*
 ‘ *gospel; and not only concurring in the testimony, but con-*
 ‘ *demning it in Sanquhar and Lanerk DECLARATIONS,*
 ‘ *even as to the matter of them, and not condemning the*
 ‘ *paying of the locality imposed for maintaining soldiers*
 ‘ *against the work and people of God; their countenancing*
 ‘ *the compliers with the time, and, when abroad, joining*
 ‘ *with the Scots congregation at Rotterdam, and bearing*
 ‘ *the indulged preach there; their informing against us,*
 ‘ *and aspersing us with slanders, such as these in the fore-*
 ‘ *mentioned information; and their concurring in the earl*
 ‘ *of Argyll’s association, against which we had so many*
 ‘ *things to object, as above hinted.* Which exceptions p. 16.
 ‘ —we thought sufficient to demur upon, when, af-
 ‘ ter many fruitless janglings, we could receive no satisfac-
 ‘ tion about them, nor a publick testimony satisfy-
 ‘ ingly stated, wherein we might both agree and con-
 ‘ cur,

1685. *cur, albeit we made an overture, in the end, that they and we should endeavour it in this sort, that they severally by themselves should draw up all the sins of the time, and we by ourselves, that so, when compared together, it might be seen where we differed, and how far we could unite; but though they seemed to be as much for it as we at first, yet, in the end, when it was offered, they rejected it. So the conference broke up, and thereafter we were more untenderly dealt with by them, and also deserted by several joined with us in fellowship, who, from that time, began to leave off coming to our general meetings, and to keep separate ways, without respect to our former consented to agreement; and also did hear, receive, and spread false reports given forth against us, without admonishing us about the same, and drew many off from our societies by such means.'*

Remarks. The reader cannot but remember, that, ever since the unhappy indulgence, divisions increased among the presbyterians, and no doubt both sides were guilty of excesses towards one another. But tho' some may think that Mr. Renwick and his followers were too pressing to have the others make a publick acknowledgment of their defections, yet they cannot be justified in slandering Mr. Renwick and his adherents, who were now divided among themselves, so that several withdrew from them: But I chuse to leave these things with the reader, and to proceed to other matters.

More banished. On the 30th of July the council ordered about 53 more prisoners to be banished to the plantations, of which 47 had been with Argyll; five refused the oath of allegiance and supremacy, and were to have one of their ears cut off, and one woman, Grizel Alstoun, to be burnt in the cheek. Some, who declared their willingness to comply and take the oaths, were set at liberty.

T. Stodhart, &c. The same day the advocate was ordered to prosecute, before the justiciary, Thomas Stodhart, James Wilkinson and Matthew Brice, &c. for treason, rebellion, and not owning the king's authority. This day the council had a letter from the king, ordering them to banish such a number of the meaner prisoners as they should think proper.

More banished. On the 31st a new committee for publick affairs was appointed to sit during the intervals of council, and about

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bout 56, who had been with *Argyll*, were ordered to be banished, together with 12 others who were to have one of *their ears* cut off, and four women for the alledged murder of their bastard children, and one woman, for refusing the oaths, to be burnt in the cheek. Several who complied were released, and three were remitted to the lords of justiciary.

The same day orders were given to the magistrates of *Edinburgh* to command their common hangman to cut off the left ear of these following men, viz. William MacCall, John Finnison, John Kennedy, James Corbie, William Marthal, Andrew Jardin, Alexander Jamison, Alexander Reid, John Hay, William MacIlroy, Quintin Dun, William Drennan, John MacIlvie, John Cuninghame, Thomas Richard, Archibald Campbell, Alexander Mason, Matthew Hamilton, Walter Hownam, James Murray, Malcolm Bryce, James Wilkison, John Simpson, James Gayin, John Mundel, Andrew MacLean, John Elliot, Robert Edward, John Mitchel, Roger MacMichan, John Weir, Robert Muir, John Downie, — Lawson, Elisabeth Kirkwal, which was executed on *Wednesday* the 4th of *August* following.

Among others, who were banished by the forementioned sentences, were *Gilbert* and *William Milroys*, in the parish of *Penningham*, whose sufferings, being somewhat peculiar, may be proper to be briefly related altogether in this place, as my author had them attested by the reverend Mr. *Robert Rowan* minister there. When the test was violently pressed last year, *William* took it, and *Gilbert* compounded with the sheriff-depute to get his name out of the roll: But this year, not being able to take the *abjuration*, they absconded with their younger brother *Patrick*. In the month of *June* or *July* the earl of *Hume* sent his *Merse-militia* to their houses, who plundered them, and drove away their cattle. Two days after seventy horsemen came in the night-time, and carried off what the foot had left, and tortured *Gilbert's* wife with lighted matches between her fingers. Next morning *Gilbert Milroy* and his brother *William* were taken, with a servant about 16 years of age, and carried prisoners to *Monigaff*, where they were brought before the earl of *Hume*, and examined as to their keeping the church, converse with the *whigs*, &c. and, declining to answer, were put to the torture of lighted matches between their fingers: But,

1685. ting what they lost as to their substance, and several other circumstances of cruelty, they were, at last, imprisoned at *Holy-rood-house*, all the other jails being crowded. Mr. *James Colquhoun*, the episcopal minister at *Penningham*, had no small share in promoting their sufferings. At last, upon their refusing the oaths, they were sentenced to have their ears cut off, and banished for ten years. When this sentence was passed they were confined to the *iron-house*. The ears of all the prisoners from *Monigaff* were cut off, except *Gilbert Milroy*, who was so fatigued and weak that he appeared to be in a dying condition. A little after this *Gilbert* and the other prisoners in the *iron-house* were taken out, and they who could not walk were carried in carts to *Newhaven*, and put aboard a ship lying there, thrust under deck, two and two fettered together, to the number of 190. Through hunger, thirst, and other hardships, during their long passage of three months and three days, 32 of them died. Mr. *Evans* the master of the ship was very cruel to them. When they landed at *Port-royal* in *Jamaica* they were put in an open prison, and received no small friendship from several in the island. After ten days they were sold for slaves, and the money given to Sir *Philip Howard*, who had a gift of them from the king, but he never had the satisfaction of enjoying the price of their liberty, for he was drowned in the *Thames*, as he was taking leave of his friends to go for *Jamaica*. Many of these captives died in their bondage; but *Gilbert Milroy* survived his sufferings, returned to his wife and other relations, and was alive in 1710. He kept an exact account of the providences he met with. The reader may see his remarks in my author.

William Marshal Smith in *Glasgow* was apprehended for wanting a pass, and was likewise banished for no other crime but non-conformity.

Mr. Archibald Campbell condemned. On the first of *August*, Mr. *Arch. Campbell*, son to lord *Neil Campbell*, was condemned to die by the justices; but appearing before the council, and declaring his willingness to renounce all rebellious principles, he was reprieved till *December*.

Mr. Shields again before the justiciary. We are now come to the 6th of *August*, when, according to the justiciary records, 'Mr. *Alexander Shields*, having signed the abjuration, owned the king's authority, but not upon oath, is remitted back to the council.

cil. He was in imminent danger at the beginning of 1685, the parliament; for having, in a letter to *John Balfour*, to be by him transmitted to some of his friends in *Holland*, declared his sorrow for his former compliance, and his mind concerning authority, and made some reflections on the justiciary, the same fell into the hands of the persecutors, whereupon he was of new brought before the council, the lords of the articles, and the justiciary. And though much altercation and many threatnings ensued, he openly owned the letter, and declared that he had great sorrow and grief for what he had done. That he found that he had disowned things in the complex in that declaration, which, when it came to particulars, he durst not do. That he did not think that hereditary succession was enough to make a king, and that he owned the lawfulness of defensive arms: However, he was overlooked till now, when the appearance of some of his fellow-sufferers brought his name and case again to remembrance, whereupon order was given to indict him for maintaining *that it was lawful for subjects, upon pretence of reformation, or any pretence whatsoever, to enter into leagues and covenants, or to take up arms against the king, or those commissioned by him, or to put limitations upon their due obedience and allegiance, &c. and for disowning the king's authority, and for owning, or refusing to disown the late declaration affixed upon several parish churches, in so far as it declares war against the king, and asserts it lawful to kill such as serve him, &c.*

Mr. *Shields* on this occasion wrote two letters, the one to the advocate, and the other to Sir *William Paterson* his old master, which he believed somewhat mitigated the rage of his persecutors, and drew up the following declaration of his sentiments.

‘1. I Do disown and abhor all war of subjects professedly declared against a *lawful* king as such; all war against *lawful* authority; all war without authority or indeclinable necessity; all war founded or designed for maintaining principles inconsistent with policy or piety; all war declared in that sense related in the proclamation about the declaration, or which may bear these inferences therein specified. 2. I do disown not only all such assertions, but all such thoughts, as that it is lawful to kill all such as serve the king, or any man,

be-

1685. because they serve him, or because they differ from us in judgment or profession, or because they have injured us any manner of way. I abhor all assertions of the lawfulness of assassinations, murders, or any private killing or slaying, under colour of law, or without it, upon any pretence, or for any cause whatsoever of usurped power, revenge, rage, or *enthusiastical* impulse, as being against christianity and humanity. 3. I do disown my having any hand, or being art and part in that pretended declaration, directly or indirectly, by my concurrence, counsel, knowledge or contrivance, or any manner of way; and I disown all intentions, for my own part, to prosecute or persecute, or endeavour to punish any that have served the king in any capacity, because they have injured me, even tho' my greatest enemies; but do think myself obliged, in christian duty, to pray for all my enemies, and bless them, and do all offices of kindness to them. 4. But yet I humbly and conscientiously demur to take that oath for private reasons. 1. Because I look upon it as an oath imposed with a severe penalty, which, whatever be the matter of the oath, is a thing I have no clearness about for the present. 2. Because I humbly conceive it misrepresents the declaration itself, wherein I am not clear that such things are asserted. 3. Because, whatever be my own thoughts of the thing, I dare not pass a judgment on the deed of others so solemnly, or take upon me to censure or condemn them, or justify any severity exercised upon some presbyterians, who cannot or dare not disown it.'

A great many things passed between the lords and him; but, when he delivered the above paper, it was handed about among them; and it was declared that they were good things in general, and that he maintained good enough general principles, but that he drew bad conclusions from the premises. Then they went through the particulars formerly mentioned, and at last insisted that he should take the oath of abjuration; but this he refused. At the conclusion of three conferences they had with him at this time, he agreed to sign it if it was worded thus, IF SO BE SUCH THINGS ARE THERE ASSERTED, which, he told them, he was sure was not the case. This, with difficulty, was granted to him. As he subscribed this he protested before them, that none were to think that, by this, *he justified the act of*

suc

succession, or the abrogation of ancient laws about, or the 1685. want of security for religion and liberty, or that he acknowledged the divine approbation of it. When all this was over he was told that he was delayed till to-morrow.

But to-morrow he was sent to the *Bass*. And I am well informed, by my honourable friend Sir *Thomas Gordon of Earlstoun*, that he would certainly have suffered, if he had not made his escape in women's clothes. *Sent to the Bass.*

And, says the author of the preface to the relation of Mr. *Shields* his sufferings, 'Though he has wanted opportunity (for what cause I cannot determine) to make the like reflexions upon the last step of that his failing, as he does upon the first, yet none has cause to question his sorrow for it: For, after his enlargement out of prison, it is well known he never failed, on all proper occasions, with many tears, publicly to own his hearty resentment of it; particularly, at that solemn occasion of renewing the covenants at *Lefmahago*, March 3. 1689. he stood up before the minister, and, in presence of that vast confluence of people, declared his unfeigned sorrow for that his sin, to the affecting of the whole multitude, and abundant satisfaction of the consciences of the godly that had been formerly grieved therewith.'

At and after the *revolution* he was of great service to the army, and much esteemed by king *WILLIAM*. In *October* 1690. he and other two ministers offered a large paper to the general assembly then sitting at *Edinburgh*, containing proposals for redressing several grievances: And, had the assembly either thought it prudent or convenient, at that time, to allow the said paper to be read, or taken the contents of it under their serious deliberation, it might possibly have produced many valuable effects; but, relying upon the report of their committee of overtures, they judged it inconvenient at that time to read and consider it. However, Mr. *Shields*, notwithstanding this, joined in communion with the church of *Scotland*, and was settled at *St. Andrews*, where he continued till he was prevailed with to go with his countrymen to *Darien*. He was perfectly depressed in his spirit on account of the fatal disappointment of that undertaking, which, he shews, had it been faithfully and well managed, would have been

1685. been of great advantage, not only to the nation, but also to the christian religion. He died in *Jamaica* of a short sickness after he left *Caledonia*. His *Hind* let loose, and his *Treatise of church-communion* (which last was published after his death by the reverend Mr. *Thomas Lining*) shew him to have been a man of great parts and solid judgment. But to return.

T. Stod- The same 6th of *August* *Thomas Stodhart*, *James Wil-*
hart, &c. kison and *Matthew Bryce* were condemned by the just-
executed. ciary to be hanged at the *Grass-market* on the 12th. They all three suffered according to their sentence. *Thomas Stodhart* had been sentenced to be banished, and yet he was brought before the justices, and condemned to die, for no other reason but because he owned authority only as far as agreeable to the word of God, and would not expressly disown the *apologetical declaration*. The only questions proposed to the other two, and their answers, were these: Q. 1. Will ye take the oath of allegiance? A. We will not take it. Q. 2. Will ye own the authority? A. We will own all authority according to the word of God; whence *Matthew Bryce* inferred, that they had nothing else to charge him with, but that he spoke of the word of God. The same day these three were executed, *William Cunningham*, *John Muirhead* and *William Jackson*, declaring themselves willing to be banished, the criminal process was dropt.

Prisoners On the 7th of *August* the laird of *Pitlochie* petitioned
disposed of. the council for some of those under sentence of transportation to go with him, which was granted; and the same day a considerable number was ordered to be delivered to *Robert Barclay* of *Urie*, or his order.

Testimony In an original letter, dated *August* 10th, *John Jamie-*
of some of son, *John Kennedy*, *Robert Sharp*, *William MacCall*, *Wal-*
ter Hume, *James Murray*, *Will. Marshall*, and *James*
the banish- *Corsbie*, by whom it was subscribed, and who were a-
ed. mong the banished, left their testimony against owning a *popish* king, &c. and gave a great many excellent ad-

Others ba- vices to their suffering friends. On the 11th four more
nished. were ordered for transportation by the council for refusing the oaths, and the case of other ten prisoners was deferred to farther consideration. On the 12th of *August*, Mr. *Thomas Archer* was at last brought before the judiciary. A good deal of interest was made for him, but in vain; nay, a design was secretly formed for conveying

veying him out of prison ; but he would not comply with it, because he reckoned himself a dying person ; and, as he could not serve his master any other way, he did not think it his duty to decline a testimony for him and his truth by a publick death. He was brought in guilty, and condemned to be hanged on a high gibbet on the 14th ; but he was respited to the 21st, when he suffered. In his last words and testimony, which are in my author, among other things he said, ' It was always my judgment, and I hope to die in it, that the obligation of the covenants is national and indissoluble, and that even the posterity renouncing them shall be found guilty of horrid perjury and apostasy before God, since in them we first engaged immediately to serve him.----I have ever opposed contentions and new differences——I take not upon me to justify the indulged ministers, neither will I rigidly condemn them ; but, if their separating from their ministry, and pressing the matter with such heat and violence, be good service done to Christ, I have read the scripture wrong. ——I have lived, and desire to die, hoping that the Lord will yet glorify his grace and gospel in the land, and that he hath not brought us under the bond of the COVENANT immediately to cast us off, (though we deserve it) but that the children which are yet to be created may praise him.' He owned the king's authority, acknowledged his weakness in being a witness against several persons, and concluded with his farewell to all created enjoyments. When on the scaffold, after he had prayed and read *Iſa. lxx.* he spoke several things, and, among others, said, ' My motives were the great apprehensions I had of popery, and my regard to the kingdom and interest of Christ here ; and I wish every one were concerned with the evil and danger of popery.' Here one of the magistrates interrupted him ; whereupon he added, ' I shall only refer you to *Rev. xiv. 9, 10, 11.*' and said to the magistrate, ' You cannot deny but popery is hazardous,' who answered, ' It is true, but there is no fear of it here, blessed be God.' Mr. Archer replied, ' I wish to God it be so,' and then continued his discourse. ' What I have farther to say is, that as Christ hath a kingdom, wherein and over which he reigneth as king, so he will suffer none to usurp that power, which is his own prerogative.' —— After he was again interrupted he went

His last testimony.

His behaviour on the scaffold.

1685. went on thus, ' Well then, I hope none of you, who
 ' are the people of God, need stumble at our fall, as if
 ' God would let the work rest at us ; — for the people
 ' of God have got many backsets, one after another ;
 ' but the Lord has waited for their extremity, which he
 ' will make his opportunity — *Micah. iv. 10. I will*
 ' *bring them to Babylon, and there will I deliver them,*
 ' So I pray and intreat you all to be concerned for your
 ' souls interest ; as for my own part, I know I have no
 ' more to do as to that. Fear of death does not fright
 ' or trouble me. I bless the Lord for my lot.' Then
 he prayed again, sang *Psalms lxxiii. 24.* to the end, and
 died with great cheerfulness and joy. He was about
 32 years of age at his death, and, says my author, was
 qualified for being a professor of divinity in any uni-
 versity.

More ba-
 nished.

On the 17th of *August* the council ordered about 72
 prisoners in *Leith* to be banished to the plantations for
 refusing the oaths, among whom were several women.
 Many of them seem to be the *Dunotter* prisoners ; for,
 as *Argyll's* invasion was now over, these prisoners were
 brought from thence to *Leith*. *Quintin Dick* and an-
 other were left behind as dying men. The council was
 pleased to come to *Leith* and sit in the tolbooth, and re-
 examine them. The few that complied with their im-
 positions were dismissed ; some who were weakly, and
 had friends to make interest for them, got off upon bond
 to appear when called ; but the generality refusing the
 oaths, as the reverend *Mr. W. Frazer* and others, were
 banished. The most of those who were ordered for
 transportation were made a present of to the laird of
Pitlochie, who freighted a *Newcastle* ship, *Richard Hut-*
ton master, bound for *New-Jersey*, to whose care the
 banished prisoners were committed.

Mr. W. Hanna. Mr. *William Hanna*, one of these prisoners, got off by
 giving in the penalty of 5000 merks. When he was
 threatened with banishment, he told them, that he was
 now too old to work, or to go to war. Old general
Dalziel bitterly replied, that he was not too old to
 hang ; but that same day, being the 22d of *August*, that
 general died suddenly. *Mr. Hanna* fell ill, and, being
 thought in a dying condition, was released, and got
 home, after above three years sufferings.

Sir John Cochran. Mean while, on the said 17th of *August*, *Sir John*
Cochran, his son, and *John*, called colonel *Ayloffe*, were
 &c. put

put a-board a yacht for London. Next day a royal letter was read, ordering to forfeit and banish Charles and John Campbells sons to the late earl of Argyll: Accordingly they were ordered to be brought to Edinburgh to be tried by the justiciary. The same day Thomas Russel and John Henderson were examined on account of the death of Sharp, in which they were suspected to be concerned. They denied the fact, but refused to call it murder, and were appointed to be kept close prisoners. On the 20th Russel was banished, and Henderson ordered to be tryed before the justiciary; but it was well for them both that they found an opportunity to break prison and make their escape.

1685.

T. Russel and John Henderson examined.

On the 21st Charles Campbell was condemned to die for being with his father in the rebellion, but the day of his execution was left to the council's pleasure; and on the 25th his brother John received the same sentence. And thus, though the managers could not, for shame, embrace their hands in the blood of these youths, yet they did what lay in their power to leave a stain on the children and relations of this noble family of Argyll. But to return to the banished prisoners.

As they generally wrote to their friends, so, on the 28th of August, 28 of them, before they sailed, signed a conjunct testimony, bearing, 'That now being to leave their own native and covenanted land, by an unjust sentence of banishment, for owning truth, and standing by duty, and studying to keep their covenant-engagements and baptismal vows, whereby they stand obliged to resist and testify against all that is contrary to the word of God and their covenants; and that their sentence of banishment ran chiefly because they refused the oath of allegiance, which in conscience they could not take, because, in so doing, they thought they utterly declined the Lord Jesus Christ from having any power in his own house, and practically would, by taking it, say, he was not king and head of his church, and over their consciences; and, on the contrary, this was to take and put in his room a man whose breath is in his nostrils; yea, a man that is a SWORN ENEMY to religion, an avowed PAPIST, whom, by our covenants, we are bound to withstand and disown, and that agreeably to scripture, Deut. xvii. 14, 15.' Then they bore their testimony against the defections of that day, and for preaching in the

Testimony of the banished.

1685. fields and houses, and sign as follow: John Kincaid, George Muir, George Johnston, Robert Young, Thomas Jackson, Andrew Paterson, John Harvey, John Foord, Christopher Strang, William Spreul, Peter Russel, Robert MacEwen, John Henderson, John Seton, John Gilfillan, Charles Honyall, James Grierison, James Forsyth, Walter MacIgne, John MacGhie, Ad. Howie, James Muirhead, Annabel Gordon, Margaret Lelly, Agnes Steven, Margaret Forrest, Jean Moffat, Annabel Jackson. In the same ship were Mr. John Frazer, Robert MacLellan of Barmagechan, William Niven in Pollock-shaws, &c. &c.

Their
hardships
on board,
&c.

They sailed from the road of *Leith* on the 5th of September. After they turned the *Lands-end* a fever began to rage in the ship, especially among those who had been in the great vault at *Dunotter*, and in a month's time became malignant, so that few in the ship escaped; most of the crew, except the captain and boatswain, died, together with the following prisoners: Thomas Graham, Gilbert Monorgan, John Smith, William Cunningham, John Muirhead, Thomas Jackson, Katha. Kellie, Andrew MacLellan, Thomas Russel, John Hodge, Tho. Gray, John Ramn, John Swinton, John Kippen, Will. Spret, James Wardrope, John MacKenman, Tho. Finlater, John Hutchison of Wardlaw, Will. MacMillan, Agnes Cohalh, John Kirkland; but, notwithstanding this mortality, the captain and others greatly abused the persecuted prisoners; for when they who were under deck attempted to worship God by themselves, the captain would throw down great planks of wood in order to disturb them. Their provisions were exceeding bad. At last they arrived at *New-Jersey*; but *Pitlochie* and his lady died on the passage. The prisoners met with harsh treatment from the people when they first came ashore; but, a little way up the country, there was a town where a minister was settled. When the inhabitants were informed of the circumstances of the banished, they invited all who were able to travel to come and live among them, sent horses for those who were not, and entertained them that winter freely, and with great kindness. Next spring Mr. *Johnstoun* claimed the prisoners as his property, upon the death of *Pitlochie* his father-in-law, and got them all summoned before the court of the province. After hearing both sides the governor called a jury who acquitted the prisoners;

soners; whereupon most of them retired to *New-Eng-* 1685.
land, where they were very kindly entertained, and em-
ployed according to their different stations and capaci-
ties. Many of them died in the plantations, and the
rest returned to their native country at the happy *revol-*
ution, as *Mr. Riddel, William Niven, and Robert Mac-*
Lellan of Barmagechan.

This last mentioned gentleman underwent a series of *Sufferings*
sufferings during this infamous period. In *February* of *Bar-*
1666. a party from *Sir James Turner* came and lived *mage-*
upon him at discretion, till he should pay those exor- *chan.*
bitant sums imposed upon him for his *non-conformity*.
When *Mr. MacLellan* prayed *Sir James* that the soldi-
ers might be removed, he was confined in his court of
guard till he should pay his fines and the cefs for main-
taining the army. At last his fine was fixed to 600
merks, and a party of horse was sent to quarter upon
him, to each of whom he was obliged to give two shil-
lings *sterling* a-day till he paid his fine. This heavy
oppression constrained him to join those who rose at
Pentland. When that party was dispersed, he fled to
England, where he lived privately four years. He re-
turned again to *Scotland*, and joined the party at *Both-*
well. Upon which he was again forfeited, his family
dispersed, and forced to retire to *England*, where, about
the end of 1684. he and several other *Scotsmen* were ap-
prehended by *Squire Dacres*, and sent prisoners to *Dum-*
frigs. He lay in irons for several days in the castle
there, and was, with several others, sent to *Dugotter*,
where he did partake of the sufferings of that dismal
place, and had his lot with the rest of the banished. It
pleased God to preserve him and his three children,
during the voyage, while his wife and other three were
left in *Scotland* to the care of providence. He was so
weakened by sickness, that he was obliged to be carried
ashore. However, he soon recovered, and set up a plan-
tation at *Woodbridge* in *New-Jersey*, which he purchased,
and where he had the advantage of hearing the gospel
preached by the reverend *Mr. Archibald Riddell*. This
gentleman continued here from *December* this year, till
June 1689. when he resolved to return to *Britain* upon
his hearing the good news of the *revolution*. Accord-
ingly *Barmagechan, Mr. Riddell* and others, sailed for *Eng-*
land, and on the 2d of *August* reached the *English* coast;
but they were taken by a *French* man of war, and carried
prisoners

1685. prisoners to Nantz, from thence to a common jail at Rochefort, where were near 200 English and Dutch prisoners, the most of whom were sent to Thoulon. They were chained two and two by the arm, and at first each ten pair were tyed with a rope, but, that retarding the journey, after the 2d day the ropes were no more used. Mr. Riddell was chained to his son, a boy of ten years of age, for whom they were at pains to make three different chains before they could get one small enough for his wrists. Many died in this journey. When Mr. MacLellan, through age and weakness, was unable to travel, he applied to the captain for the benefit of one of their carts, but was answered by many lashes of his whip on the face, by which he lost the sight of one of his eyes. After a six weeks march they at last got to Thoulon, where they were put into a large old ship, where he continued 19 months, though all the rest, after a month's time, returned the same way they came to Rochefort, and from thence to Denain near St. Malo, where Mr. Riddell continued more than a year, in a vault of an old castle, with some hundreds of other prisoners. They lay on straw, and never changed but once a-month, and so were overrun with nastiness and vermin. After twenty two months Mr. Riddell and his son were exchanged for two popish priests, which the council of Scotland gave for them. When the prisoners at Thoulon were released, by another exchange, the French king would not suffer them to return through France; but gave them a pass, and put them on board a ship bound for Genoa, where Barmagechan got a Hamburgh vessel bound for Cadiz in Spain, from whence he came in a fleet bound for Amsterdam; but by a storm they were drove on the back of Ireland, and the ship he was in was forced into Bantry-bay there. The Irish seized the company, stripped Mr. MacLellan of his clothes, and kept him among them eleven days, so that through the hardships he met with he fell ill; but at last he was released, and got safe home to his own house at Barmagechan, 31 October 1691. From the whole it appears, that all the sufferings of this gentleman were owing to the persecution in Scotland. But to return.

On the 11th of September, the council ordered the advocate to prosecute more that were concerned in the attempt of the earl of Argyll; but, as I know not the issue of it, I pass it over.

On the 16th they issued a proclamation for keeping 1685. the king's birth-day, *October 14th*, as a solemn anniversary thanksgiving, 'and therein to commemorate his most conspicuous entry to his royal government, and miraculous deliverances;' and, that the reader may see what solid ground there was for this,

On the 19th a letter from the king was read in council, requiring them to call for the magistrates of *Edinburgh*, and prohibit them from proceeding to any election of magistrates or town-council, for the ensuing year, till his majesty declare his pleasure to the contrary. If this was not a direct infringement of the privileges of the royal burghs, let the reader judge. Accordingly the magistrates were called, and had the king's pleasure signified to them. These infringements were as a preface to what followed in *England* as to corporations much of the same nature.

From some letters that passed at this time, between the king and council, it appears that the ministers of state in *Scotland* were not harmonious among themselves. Informations were taken from Mr. *John Veitch*, and accounts were said to be given by Sir *John Cochran*, with relation to a correspondence carried on between the lord register, secretary *Murray*, and lord *Melvil*, and some pieces of mismanagement of the advocate. Bishop *Burnet* tells us, that '*Cochran* had a rich father, the earl of *Dundonald*; and he offered the priests 5000 *L.* to save his son. They wanted a stock of money for managing their designs, so they interposed so effectually that the bargain was made; but, to cover it, *Cochran* petitioned the council that he might be sent to the king, for he had secrets of great importance, which were not fit to be communicated to any but to the king himself. He was upon that brought up to *London*; and, after he had been for some time in private with the king, the matters he had discovered were said to be of such importance, that, in consideration of that, the king pardoned him. It was said that he discovered all their negotiations with the elector of *Brandenburg* and the prince of *Orange*: But this was a pretence only given out to conceal the bargain, for the prince told the doctor he had never seen *Cochran*; but the secret came to be known soon after.' Passing therefore these things,

Executions

1685. Executions being now very much over, the old trade of fines for conventicles was revived. For one gentleman was fined this month in no less sum than 60,000*l.* Scots, or 3000*l.* sterling, for his own and his lady's non-conformity.

On the 5th of *October* the above mentioned Mr. John Veitch, minister at *Westruther*, was made close prisoner at *Edinburgh*, and his keeper solemnly sworn never to suffer any word to come in to him, or go out from him, without the knowledge of the council or their committee. Two soldiers were ordered constantly to guard the door, pen and ink were taken from him, and thus he continued for 20 weeks.

The same day they made an act prohibiting the printing of any books of divinity till they were revised and licensed by the ordinary of the place, and discharging all stationers and booksellers from selling any such books, under the penalty of confiscation.

The same day another letter from the king was read, wherein his majesty recommended bailie *Kennedy*, as his particular choice, to be elected provost of *Edinburgh*, leaving the magistrates to the usual method of electing the rest of the town-council; but one might readily think that the king might have named all as well as the chief magistrate, and taken upon himself to nominate magistrates in all the royal burghs through the kingdom.

The council having, on the 29th, received information of two *field-conventicles* in the parish of *Camnethan*, where several were present in arms, and Mr. *Renwick* preached, major *Wedderburn* of *Gosford* was ordered to inquire concerning those who were present, and the heritors through whose lands they passed.

On the 12th of *November* a very extraordinary letter was read from the king, dispensing with an act of his very first parliament. As it is but short, the tenor of it follows;

JAMES R.

Right trusty, &c. we greet you well. Whereas, in the 12th act of our current parliament, intituled, *Act of supply*, there is a clause ordaining all the commissioners therein named to take the oaths and test appointed by law; which clause we judge fit, for our service, to require you to put vigorously in execution,

' execution, *excepting these* in the list here inclosed, 1685.
' whom we have dispensed with from taking the same, *and*
' and such as we shall hereafter dispense with under our
' royal hand. For doing whereof this shall be your
' warrant: And so we bid you heartily farewell. Given
' at our court at Whitehall, the 7th day of November
' 1685. and of our reign the first year.'

By his majesty's command,

MELFORD.

The list of those dispensed with from taking the *test* ^{List of those dispensed with.}
contains the duke of Gordon, the earls of Seaforth and
Traquair, lord Oliphant, Richard Cockburn of Clerk-
ingtoun, Alexander Irvine of Drum, John Gordon of
Rothemay, Patrick Lesly of Balquhain, Sir George Gor-
don of Gight, William Menzies of Pitfoddels, James
Innes of Drumgask, Adam Gordon of Auchmacoy,
Francis Gordon younger of Craig, Mr. Alexander Ir-
vine of Lairny, Mr. Richard Irvine of Kirkcoun, the
laird of Fetterneir, the laird of Wartle-Lesly, Alexan-
der Frazer of Kinnaries, MacDonald of Binbecula,
MacDonald of Largy, MacDonald of Cassiltoun, Pa-
trick Gordon of Glastyrum, John Grant of Ballindal-
lach, James Gordon of Camdel, John Gordon of Bal-
dorny, Alexander Gordon of Auchintoul.

It is easy to observe here that acts of parliament are
no security under a *popish* prince, when he takes upon
him to *dispense* with them in this manner; for the king
not only dispensed with the act as to the persons a-
bove mentioned, but reserved a power to himself to dis-
pense with it as to others whom he should afterwards
name.

John Nisbet of Hardhill, in the parish of Lowdown, was *Sufferings*
apprehended about this time. This gentleman had *of John*
been always active for religion, and an encourager of *Nisbet*
the gospel as at that time preached in the fields. In *of Hard-*
1664. having a child baptized by an *ejected presbyterian* *hill.*
minister, the curate declared from the pulpit that he in-
tended to excommunicate him next Lord's day, but
was prevented by sudden death. He was both at *Pent-*
land and *Bothwell*. In the former he was so grievous-
ly wounded, that the enemy left him for dead, so that
he escaped. At the latter he behaved with great brave-
ry and courage, and escaped at that time likewise, but,
being known, was proscribed by proclamation, and a
large reward offered for apprehending him. His estate
and

1685, and goods were seized, and his wife and four children stript of all and turned out of doors.

Manner
of his be-
ing taken.

He suffered all kinds of distress from 1679. till November this year, when he, with three of his fellow-sufferers, were surpris'd in a house in the parish of *Finwick*, by lieutenant *Nisbet* a cousin of his own. They defended themselves till the other three were killed on the spot, and *Hardhill* sore wounded and taken. The lieutenant, having ordered him to be bound, asked him *what he thought of himself now*. He answered, 'I think as much of *Christ* and his cause, for which I suffer, as ever; but I judge myself at a loss, being in time, and my dear brethren, whom you have murdered, being in eternity.' The lieutenant swore he had reserved him for a farther judgment. *John* replied, 'If the Lord stand by me, and help me to be faithful to the death, I care not what piece of suffering I be put to endure.'

Sent in
to Edin-
burgh.

He was carried that night to *Kilmarnock*, and next morning to *Ayr*, where, by intercession of friends, a surgeon was permitted to dress his wounds; and here he was examined, and from thence sent to *Edinburgh*. The *Cloud of witnesses* says that he was brought back to *Kilmarnock*, and from thence transported to *Edin-*

Mem. of
the ch.
of Scot-
land, p.
286, 287.

burgh; but that circumstance is not material. It seems, says an eye-witness, all this was done that the lieutenant might have the reward published for apprehending him. My author has given his examination before the council, which, it seems, was on the 26th of November, from a letter under his own hand, wherein he says, 'When he was brought before the council, he knew *Perth*, *Linlithgow*, and bishop *Paterfon*, &c. The councillors told him that they believed he was acquainted with every thing among the rebels, and would take it as a favour if he would ingenuously tell what he knew. — He told them, when they came to particulars, he should speak nothing but the truth; for he could say he was more afraid to LIE than to die; but he hoped they would be so much christians as to press him to answer nothing that would burden his conscience,

His exa-
mination
before the
council.

'They asked him what they did in their societies and meetings? He answered, they sung part of the *Psalms*, read some of the scripture, and prayed time about. Q. Why are they called societies? A. I am surpris'd

‘ surprised at such a question, since the thing is plain;
 ‘ and is the name such meetings had in the best times
 ‘ of this church. *Q.* Where are they kept? *A.* In
 ‘ the wildest muirs and most retired places. *Q.* What
 ‘ do ye at your general meetings? (While stopping a
 ‘ little to consider what to say to this, one of them
 ‘ answered, and gave a more particular and distinct ac-
 ‘ count of every part of their way than he could do.)
 ‘ Will you own the king’s authority? *A.* I will not.
 ‘ *Q.* Why? Do you not own the scriptures and *con-*
 ‘ *fession of faith*? (naming several places, and *chap.*
 ‘ *xxiii.* of the *confession.*) *A.* I own both with all my
 ‘ heart; but the king is a *Roman catholick*, and I have
 ‘ not only been educated a *presbyterian*, but solemnly
 ‘ sworn against *popery*. *Q.* What is that to you? His
 ‘ being *popish* does not bind you to be so too, nor hin-
 ‘ der you to live in your own religion. *A.* The con-
 ‘ trary appears; for no liberty is given to hear the
 ‘ gospel, and we are put to the hardest sufferings for
 ‘ hearing it. *Q.* It is not so: You may have the gos-
 ‘ pel to hear when you please; but your *wild principles*
 ‘ will not suffer you to hear it. *A.* The contrary is
 ‘ well known: You have taken away *presbyterian* mi-
 ‘ nisters, and left none in the nation within our reach,
 ‘ and put such in their places as are profligate wretches;
 ‘ so that poor people neither care nor dare join with
 ‘ them. *Q.* Were you and such as you clear to join
 ‘ with *Argyll*? *A.* No more than with you. *Q.* Would
 ‘ you have joined with *Monmouth*? *A.* No. Another
 ‘ said in banter, It seems they will have no king but
 ‘ Mr. *Renwick*; and asked him if he conversed with any
 ‘ other ministers than Mr. *Renwick*. He answered, he
 ‘ did not. — As to praying for their king, one of
 ‘ them said he knew I was that much a christian that
 ‘ I would pray for all men. I told them that I reckon-
 ‘ ed myself bound to pray for all; but prayer being in-
 ‘ stitute by an holy God, who was the hearer of prayer,
 ‘ no christian was obliged to pray when every profligate
 ‘ commanded him; and that it was no advantage to
 ‘ their cause when they suffered such a thing.’ He pro-
 ‘ ceeded thus:

‘ How it may be with me afterwards, I cannot posi-
 ‘ tively say, — but this I can say, the Lord hath not
 ‘ quarrelled with me for any thing since I was a pri-
 ‘ soner; but hath always waited to supply with all

1685.

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‘ comfort, consolation and strength, as my necessity required. And now, when I cannot lay down my head, nor lift it up without help, and the irons are upon my legs, yet, of all the cases I ever was in, I had never more contentment. I can now give the cross of Christ a more noble commendation than ever. — Under all my wanderings, in all my toilings, a prison was still terrifying to me; but immediately at my taking he so shined on me, and ever since, that he and his cross is to me far beyond whatever he was before: Therefore let none fear, or stand at a distance from their duty, for fear of the cross; for now I can say from experience, that it is as easy, yea, and more sweet, to ly in prison and irons, than it is to ly at liberty. But I must break off at present.’

The council, this 26th of *November*, ordered him to be prosecuted before the *justiciary*. Two prisoners were ordered to be released, and five to be banished for conventicles and refusing the oaths.

Arraign-
ed and
condem-
ned.

On the 30th *John Nisbet of Hardhill* was arraigned before the *justiciary*. His own confession was the proof against him; in which, among other things, they said that he declared, that the reason why he and those who were in his company refused to join with *Argyll*, was because one *Clelland* told them, that the said *Argyll* and his party were against all kingly government. My author is of opinion that he declared no such thing, it being very common for the clerks, in writing down the answers of the sufferers, to misrepresent them. And it is certain, that the only reason given by the *societies* for not joining with *Argyll*, was, because they could not espouse his declarations as the state of their quarrel, they not being concerted according to the ancient plea of the *Scottish Covenants*, and because it opened a door for a sinful confederacy. We have had instances of unfair dealing this way before now. *Hardhill* was brought in guilty, and condemned to be hanged at the the *Grass-market* of *Edinburgh* on the 4th of *December* next.

The same 30th of *November*, *John Welsh of Cornley*, and *Edward Marshall of Kaemuir*, who had been formerly forfeited, and having been apprehended, were ordered to be executed on the 4th of *December*. The former got off by taking the *test*; but the latter suffered with *John Nisbet of Hardhill*.

Mean

Mean while *Charles Maxwell* was this month summoned before some court at *Glencairn-church*, for collecting charity to the prisoners at *Dunotter*. He appeared, and, there being no proof against him, was dismissed; but that same night a party was ordered to his house to take ten pounds, or goods to the value, for his wife's absence from the court, though he knew nothing of her having been summoned, and to carry him prisoner to *Dumfries*. It was with difficulty he prevailed with them to take his bond, and his master surety, to appear at *Dumfries* when called, under the penalty of 1000 l. Scots.

On the 4th of *December* *John Nisbet* of *Hardhill* and *Edward Marshall* suffered at the *Grass-market* of *Edinburgh*, according to their sentence. Their last testimonies are in the *Cloud of witnesses*, edit. 4th.

Edward Marshall left his testimony against all who had gone contrary to the covenanted work of reformation; owned that he was at *Bothwell*; but would not acknowledge it to be rebellion. They asked him if he would own *JAMES VII.* as king of *Britain*; he told them, that he owned him as far as he owned God, his cause and people. On which some of them said, that was not at all. Then they asked if he would pray for the king of *Britain*. He replied, That this was not a place for prayer. Upon which they laughed, and ordered him to remove. After this account he exhorts his friends not to be discouraged with these threatnings of men for the cause of Christ; and concludes with recommending his wife and children to God, and taking a comfortable farewell of all worldly enjoyments.

John Nisbet, in his last testimony, which is in the *Cloud of witnesses*, among other things says, 'I have always, since the publick resolutioners were for bringing in the malignants and their interest, thought it my duty to join with the Lord's people in witnessing against those sinful courses; and now we see clearly that it has ended in nothing less than—open doors, that are made wide, to bring in popery, and set up idolatry in the Lord's COVENANTED land. Wherefore it is the—indispensible duty of all who have any love to God, to his Son the Lord Jesus Christ,—to witness faithfully, constantly, and conscientiously against all that the enemies have done, or are doing, to the overthrow of the glorious work of reformation. — And

1685. *—* And however it be, that many, both ministers and professors, are turning their backs upon Christ and his cross, reproaching — you and testimony of the day, yet let not this weaken your hands; — for I assure you it will not be long to the fourth watch; and then he will come in garments dyed in blood, to raise up saviours upon mount Zion to judge the mount of *Esau*, and then the house of *Jacob* and *Joseph* shall be for fire, and the *malignants*, *prelates*, and *papists* shall be for stubble, the flame whereof shall be great. But my generation-work being done with my time, I go to him who loved me, and washed me from all my sins. Then he goes on, declaring that he died adhering to the scriptures, and all the pieces of reformation attained to in *Scotland* from 1638. to 1649. and protesting against *popery*, *prelacy*, the *indulgence* and the *accepters* of it, and exhorting the people of God to forbear contentions and censuring one another, to keep up their fellowships and general meetings; and concludes, bidding farewell to all his dear fellow-sufferers, to his children and christian friends, and with committing his spirit into the hands of Father, Son, and Holy Ghost.

And now I have the pleasure to acquaint the reader, that there is but one execution more of this kind at *Edinburgh* during this infamous period; so that from this, to the beginning of 1688. we shall find things taking another turn. Measures were concerting for repealing the *penal statutes*, and it was proper that the persecution of the *presbyterians* should abate for a while, that the *papists* might get footing, and so compleat the ruin of the *reformation*. But I shall relate things as much in the order of time as possible.

Mr. John Mitchel. On the 9th of *December* the council banished 17 more prisoners, and next day Mr. *John Mitchel* of *Balbardie* was ordered to be discharged from paying any more fines for his wife's irregularities, because of the king's letter in favour of *regular husbands*.

Process against Monmouth, &c. On the 21st a process was commenced by the advocate against the deceased duke of *Buccleugh* and *Monmouth*, *Fletcher* of *Saltoun*, and the lord *Stair*. A very long indictment was given in against them and read, but the tryal was put off till *January* next. I shall now conclude this bloody year with some things of which I know not the dates.

Thomas

Thomas Richards in the parish of *Ballantrae* was at last 1685. surprised by a party of *Balquhan's* soldiers while asleep, who carried him with them to *Stranrawer*, and brought him back to *Ballantrae*. His friends not being able to prevail with him to comply, the commander ordered four of his men to shoot him in the fields; but things were so concerted, that his friends again surrounded him, and prayed him to comply; but he told them he was not unwilling to die even a violent death, rather than make any sinful compliances. Upon this his heroic and christian resolution the captain thought proper to proceed no farther. *Thomas* was taken to *Glasgow*, where, after a month's imprisonment, his ears were cropt, and he was sent with others to *Jamaica*, where he was sold for seven years. He died just as his time of servitude was expired. Thomas Richards banished.

By order of the Sheriff of *Wigtoun* a party came to *Cruel Barn-kirk* in the parish of *Penningham*, and apprehended *Sarah Stuart* the wife of *William Kennedy*, after having damaged the house and spoiled the furniture, and forced her to go with them a-foot, with a child in her arms not quite nine months old, to *Wigtoun*, and leave the other three children behind her, without any to look after them, though the oldest was not eight years of age. She was kept eleven weeks prisoner at *Wigtoun*; for though she was a conformist herself, yet, because she would not engage never to converse with her husband, nor to discover him, or inform against him, she was brought to all this trouble; for the religion and government of this period were calculated to root out the principles of nature. This was very much parallel with the practice of the most wicked of the *papists*, who obliged some children to kindle the faggots wherewith their parents were burnt. Cruel treatment of Sarah Stuart.

A party of *Balquhan's* men seized *John Wallace* of *Knockybae* in the parish of *New-Glenluce*, spoiled his house, and took away every thing they could, because he refused the *abjuration*; nay, they brought in numbers of sheep to the church, where they killed and roasted them with a fire made of their pews. My author has this odd circumstance well attested under the hand of the minister of that parish. Sufferings of John Wallace.

Many this year died in prisons, and in the way to them, and in their banishments; and these may all be reckoned to have suffered unto death, as *James Glo-* Many died in prison.

1685. ver of the parish of Tinwal, Andrew Fergusson in the parish of Glencairn, John Munil, James Muncie burgeses in Dumfries, John Muirhead bailie in Dumfries, James Carran burgeses in Dumfries, Andrew Hunter and John Stock burgeses in the same town, Elisabeth Glendowning the wife of John Panter of the parish of Durisdeer; John Renwick burgeses in Dumfries, Andrew MacLellan a freeman in the same town, and James Sittingtoun in the parish of Dunscore, were banished and died abroad. As all these were only from the shire of Nithsdale, what multitudes might be mentioned from other places is not hard to imagine.

Many
scourged,
&c.

Many honest people were scourged for their non-conformity, and then sent to the plantations. Thus two women were scourged at *Dumfries* by the hangman, because they would swear no oaths, and the youngest was sent to *Jersey* with *Pitlochie*. About the same time a poor woman, with a man whom they had prevailed with to take the test, were bound together and scourged through the said town, because he would not swear what wandering persons he had entertained. *Jean Dalziel*, a tenant of *Queensberry's*, was banished because she would not swear never to converse with her husband, who was declared a fugitive; as was *Agnes Harestones*, another of *Queensberry's* tenants, because she would not promise to hear the curates, and discover the fugitives.

Caths did
not satisfi-
fy.

It is farther remarked at this time, that, when people were prevailed with to take the oaths, the managers likewise obliged them to promise to stand at the singing of the *doxology*, give all encouragement to the established clergy, apprehend all fugitives and wanderers, and, when they could not apprehend them, that they would raise the hue and cry after them for three miles.

Scots mi-
nisters in
Holland
brought to
trouble.

The rage against *presbyterians* was not confined at this time to *Scotland*, but reached even to those ministers who had retired to *Holland* for shelter, as *Mess. James Veitch, Alexander Pitcairn, George Campbell, Patrick Warner*, and others. These ministers and other persecuted *Scotsmen* had a weekly meeting for prayer. One, who called himself *Robert Smith*, attempted to be admitted among them. Mr. *Warner*, not relishing his forwardness, and suspecting him for a spy, put a stop to it. This fellow, who pretended to have been at *Bothwell-bridge*, partly out of spite, and partly to get his

his hire, went to *London*, and, on the 24th of *February* 1685. this year, gave in an information at *Whitehall*, which is published by *Sprat* in his *copies of informations*, p. 173, &c. This paper contains a heap of lies and falsehoods. He pretends to have seen Mr. *Warner* at the council of war at *Bothwell-bridge*, whereas, from *Drumclog* to that defeat, he was never within 40 miles of *Bothwell*. He also mentions *Gordon* of *Earlstoun* elder, as being at that council of war, whereas the action was over, and he was killed as he was riding to join them. I have not room to consider the said information in all its parts, neither is it material. However, it seems, this occasioned orders to be given to the *English* resident in *Holland* to insist with the states-general, either to apprehend or to remove these banished ministers from *Rotterdam*, and their dominions. Something was done to pacify the resident; but care was taken to give these ministers notice of their danger, so that, for a little, they slept out of the way.

Thus I have, at last, got to the end of this bloody year, which has presented us with a scene of persecution that had not, at that time at least, its parallel except in *France*, where *Lewis XIV.* revoked the edict of *Nantz*. The *French* king's edict of revocation, and other things relating to it, the reader may see at more length in my author, vol. II. p. 580, &c.

Bishop *Burnet* observes, that 'this year 1685. must ever be remembred as the most fatal to the protestant religion. In *February* the king of *England* declared himself a papist. In *June*, *Charles* the elector *Palatine* dying without issue, the electoral dignity went to the house of *Newburgh*, a most bigotted popish family. In *October* the king of *France* recalled and vacated the edict of *Nantz*; and, in *December*, the duke of *Savoy* being brought to it, not only by the persuasions, but even by the threatnings of the court of *France*, recalled the edict that his father had granted to the *Vaudois*;' but I must leave these things.

Bishop Burnet's remark, p. 655.

The council-registers end the 31st of *December*, from which time to the revolution, none of the warrants were booked. Why their actings were not recorded after this my author does not know the reason; but we shall now soon get to the end of this history.

1686.



C H A P. XIV.

Of the proceedings of the justiciary and parliament; the king's remarkable letter in favour of the papists; the death and character of Mr. Alexander Peden; the state of Mr. Renwick and his followers; the various branches of persecution and acts of indulgence, with other things to the end of the year 1687.

Persecution abated.

THE persecution, in some of its branches, was not so violent, during the three following years, as before. Most of the *presbyterian* ministers were banished. The gentlemen and heritors who favoured *presbytery* were either dead, forfeited, or banished. Many of the common people were cut off, transported to the plantations, shut up in prisons, or made compliances; so that the government had but few to persecute, except Mr. *Renwick* and his adherents. But the chief motive of abating the former severities was this: The king and those about him had formed the design of repealing the *penal statutes* against the *Roman catholicks*, it would therefore have been very indecent to continue the persecution against *dissenting* protestants, when such favours were to be given to *papists*; but then, though the acts of persecution in some measure ceased, yet the spirit still remained, and some remarkable instances of cruelty are recorded by my author.

Fines in the parish of Calder.

Many were the fines and exorbitant exactions made upon poor people, of which the following is well vouchered from the parish of *Calder*. *James Donaldson* portioner of *Ralbrefton*, for a meeting for prayer at his house on a Lord's day, was fined and paid 200 l. *John Baxter* for ditto, 40 l. *Walter Donaldson* for his wife's being present, 36 l. Several other people were fined, making in all 816 l. 16 s. *Scots*. *William Stirling*, the bailie-depute of the regality of *Glasgow*, who imposed those fines, got them for his pains, which doubtless animated his zeal, for he had a gift of all the fines for church-irregularities in that parish below heritors. He used to threaten the poor people with present imprisonment, unless they engaged to bring a certain sum by such a day.

Plunderings.

Plunderings and oppressions still continued. In the parish of *Dalry*, three men having retired to a wood for

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for social prayer, and, being overheard, a party came 1686. and fired upon them, but they happily escaped; which so enraged the soldiers, that they plundered the neighbourhood, and brought the heritors there to much trouble.

In the beginning of this year, a party came to the parish of *Stonehouse*, in *Lanerk-shire*, and carried off eight men, and two women who had sucking infants at their breasts, for alledged hearing an *ejected* minister. The poor mothers were forced to leave their tender infants to the care of providence. Another party, commanded by *Hallyards*, dreadfully oppressed the neighbouring parish of *Glasford*, plundered the house, and spoiled the goods of one *Janet Scot* a widow, because it was alledged her son had been at *Bothwell*. Many gentlemen who had been with *Argyll*, or favoured his cause, were forced to conceal themselves in dens and caves of the earth; and others were forced to pay prodigious compositions for their fines.

Besides Mr. *Renwick* there were some *presbyterian* ministers, both last year and this, who preached with the utmost secrecy, as Mess. *George Barclay*, *Robert Langlands*, *George Guthrie*, *John Black*, and *Duncan Campbell*. Presbyterian ministers preach privately.

The lords of justiciary went on in their forfeitures; and, on the 4th of *January*, about 80, mostly of the name of *Campbell*, were indicted, and sentenced to be executed when apprehended. Among others were Sir *Duncan Campbell* of *Auchinbreck*, *Campbell* of *Barbreck*, &c. &c.

The same day the process against the deceased duke of *Buccleugh* and *Monmouth* was put off till *February*, when he was forfeited, and Mr. *Fletcher* of *Saltoun* was prosecuted for being with *Monmouth*, brought in guilty, and sentenced to be executed when apprehended. Lord *Stair's* process was put off from time to time, till at last a pardon was procured for him. His crimes were receiving rent from rebels and traitors, harbouring Mr. *Alexander Lennox*, Mr. *Alexander Ross*, Mr. *Alexander Peden*, and Mr. *Alexander Hamilton*, who were all called vagrant preachers, suffering them to preach and baptize children in his house, and drawing a petition for, and giving his advice to some of the rebels. On the 18th *Duncan Campbell* of *Allangreg* junior, for his accession to the late earl of *Argyll*, was ordered to be executed,

1686. along with his father, on the 9th of July next, but remissions were procured before that time.

Mr. Alexander Peden died in full assurance of faith, and was privately interred in the church of *Auchinleck*. He was minister of *Glenluce* before the restoration. *P. Walker* tells us, from eye-witnesses, that, as he came down from the pulpit upon preaching his farewell sermon, when ejected, he knocked on the door three times with his bible, saying, *I arrest thee, in my master's name, that never any enter thee but such as come in at the door as I did.* Accordingly it was remarked, that neither curate nor indulged ever entered that pulpit till after the revolution, when a presbyterian minister preached there.

During the last year he wandered from place to place through *Ayr-shire* and *Galloway*. He was indefatigable in prayer, and was one of those fearers of God's name with whom the secret of the Lord was; for he certainly foretold several things that came to pass. *John Ker* of *Kersland*, Esq; in his memoirs, speaking of Mr. Peden, says, 'Abundance of this good man's predictions are well known to be already come to pass.'

p. 8.

— Accordingly he mentions the following: 'When he was sick unto death, in the year 1686. he told his friends that he should die in a few days; but having, said he, foretold many things, which will require some time before they be verified, I will give you a sign which will confirm your expectation that they will as surely come to pass as those you have already seen accomplished before your eyes; I shall be decently buried by you; but, if my body be suffered to rest in the grave where you shall lay it, then I have been a deceiver, and the Lord hath not spoken by me; whereas, if the enemy come a little afterwards to take it up, and carry it away to bury it in an ignominious place, then I hope you will believe that God Almighty hath spoken by me, and consequently there shall not one word fall to the ground.' Accordingly, about 40 days after his interment, a troop of dragoons came, lifted his corps, and carried them two miles to *Cumnock*, and buried them there under the gallows.

Renwick's
life, p.
99.

Mr. Peden, through the misrepresentations of some, was much alienated from Mr. *Renwick*, and spoke bitterly against him. This exceedingly grieved Mr. *Renwick*, stumbled many of his followers, and confirmed his ad-

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versaries, who boasted that *now* Mr. Peden also was turned his enemy; but, when he was a-dying, he sent for Mr. *Renwick*, and asked him if he was that Mr. *Renwick* there was so much noise about. Mr. *Renwick* gave him a decent and proper answer, and such an account of his conversion and call to the ministry, of his principles, and the grounds of his contending against tyranny and desecutions, that Mr. Peden was satisfied, and expressed his sorrow for giving credit to the reports that were spread against him. As for those papers which were handed about under Mr. Peden's name, they are upon good grounds looked upon as spurious.

Mr. *Renwick* was not only exposed to the resentment of the managers, but also suffered exceedingly from the tongues of those who had been formerly persecuted for the same cause; particularly, one of the ministers who came over with *Argyll* accused him and those that adhered to him, '1. of overturning *presbyterian* government even to the foundation, and putting in its room a popular confusion, in committing the tryal, both of the degree of scandal and censure, to persons that are not church-officers; 2. of thrusting themselves most unhappily into the magistrates room, making themselves a convention of estates, and managing both civil and church-affairs by the same persons and assembly; 3. of imposing most unhappy restrictions on ministers in the exercise of their ministry, and, when they cannot own nor preach upon these terms, calling them silent and unfaithful, and requiring them to be disowned, there being now not a minister in Scotland, England or Ireland, save one, as he (Mr. *Renwick*) saith, in a letter to a friend in Ireland, and he no minister of that church either, and that by his own confession.'

His answer was in substance as follows. '1. That they never committed the tryal, either of scandal or censure, in a judicial way, to the people, but only—allowed them to judge how they themselves were to carry towards the scandalous, if the scandal might bear the weight of withdrawing from him.—Simple withdrawing is not the inflicting of a censure, but only a testifying that it should be inflicted by such as are competent, *Rom. xvi. 17. 2 Theff. iii. 14.*—In a broken state of the church, when church-judicatories cannot be had, there must be some such private with-

1686.
P. Wal-
ker's re-
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Mr. Pe-
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Mr.
Ren-
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Vid. his
life by
Mr.
Shields,
p. 84.

His an-
swers.
p. 85.

1686. ' withdrawing, else all must go into confusion; the faith-
 ' ful partake of other mens sins, private and popular
 ' means of reclaiming offending brethren, and the testi-
 ' monies of the faithful, shall fall to the ground. This
 ' is not to overturn *presbyterian government*. — 2. If
 ' declining magistrates, because tyrants, be thrusting
 ' ourselves into the magistrates room, then every man
 p. 86. ' declining a *prelate*, because not of Christ's appoint-
 ' ment, thrusts himself into the prelate's room. — This
 ' is all the import of our *declarations*. How can it be
 ' instructed that we have acted as a *convention of estates*?
 ' The mere disowning of the present government will
 ' not infer it. — As to the expression, what needs so
 ' much fighting about it? — I wish these words had
 ' been otherways expressed. Why are men made such
 ' offenders for words? Will such a spirit be helpful to
 ' the healing of breaches. — We hold none of these
 ' declarations, or any other things, to have been emit-
 ' ted by *judicatories*. The same persons having ecclesi-
 ' astical authority, and others having civil authority,
 ' cannot concur in one action. We leave this to the ty-
 p. 87. ' rant's council, made up of *lords spiritual and temporal*,
 ' as they call them. 3. We never in the least intended
 ' any restrictions on ministers, but only desired they
 ' might declare the whole counsel of God, and would
 ' have them take a liberty to preach up all duties, and
 ' down all sin. This is no restriction or imposition.
 ' — I am against the people's desiring any thing of
 ' ministers but what is *divinely* bound upon them by
 ' the word of God, and *ecclesiastically* by our *national*
 ' and *solemn covenants*, and the acts of our general as-
 ' semblies. As to that, that I should have said in a let-
 ' ter, That there is not a minister in *Scotland, &c.* faith-
 ' ful save *one*; I forgive the so saying of me, but I de-
 ' ny the charge. — If I have written of ministers un-
 ' faithfulness in universal terms, it is a wide conse-
 ' quence to infer *I asserted there was but one* — That,
 ' by my own confession, I am not a minister of this
 ' church, I altogether deny. I said, I am a minister
 ' wherever I have a call from the people and do em-
 ' brace it. *O that all those who shall agree together in*
 ' *heaven were agreeing upon earth! I think, if my blood*
 ' *could be a mean to procure that, I could willingly offer*
 ' *it.*'

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There were several more letters interchanged between 1686. him and the same minister, besides some from other hands, containing many accusations, especially a large R. Cath- information, stuffed, says Mr. *Shields*, with the grossest cart's in- misrepresentations, all accumulated in one draught of a formation, paper, divulged not only in *Scotland*, but carried over to *Holland*, and very industriously spread by one *Alexander Gordon*, once a member of these societies. Mr. *Wodrow* says, That, in the entry of this year 1686. *Robert Cathcart*, a very pious and knowing christian in *Carrick*, who had formerly joined with the societies, but now was now very much for union, and quitting their heights, drew up an information relating to Mr. *Renwick* and his party, that he had no thoughts of its going abroad, but, when he had communicated it to a friend, it took air. It is in his *appendix*; and there he charges the societies with taking upon them the government in church and state, and the management of both civil and ecclesiastical affairs, assuming to themselves the name and title of *con- vention of estates*, imposing restrictions on ministers, making canons, &c. Whether such an information as this was a proper mean for union must be left with the reader.

On the 28th of *January* a general meeting of the so- ^{General} cieties was held at *Frierminion*, to which the above-men- ^{meeting} tioner *Alexander Gordon*, *John Dick*, and some others, ^{at Frier-} came, who were, says my author, for uniting with and ^{minion.} hearing other suffering ministers as well as Mr. *Renwick*. There was a long conference with the last mentioned persons about many things which he does not insert, but tells us, that, after they had owned their hearing of Mr. *Barclay*, when he had satisfied them in conversation, and because they would not absolutely disown *Argyll's* declaration, and promise to do nothing for the future without the allowance of the meeting, they debarred them in time to come from their meeting, and would have no more fellowship with them.

When they returned to their constituents there was a large meeting of those who were for union with the other suffering ministers, to which an account was given of the conference at *Frierminion*, and *R. Cathcart's* in- formation was read, and a copy of it sent to several *presbyterian* ministers for their judgment. My author says farther, that this step of the general meeting at *Frierminion*, in breaking fellowship with such as were for

1686. for hearing other honest ministers, and endeavouring to make up breaches among sufferers, did them much harm in the eyes of sober on-lookers.

Ren-
wick's
life, p.
88.

The reverend Mr. *Shields* tells us, that there were with Mr. *Gordon* several others who followed the informing trade; especially, in *Carrick*, one *Robert Cathcart*, *John Dick*, and others, who never left off, with their clamorous tongues and scribbling pens, to spread their accusations against Mr. *Renwick*; and that *Cathcart*, in a particular manner, accused him and his adherents, 'as such whom the Lord had given up, in a great measure, to the delusions of their own deceitful hearts, to believe lies, &c. and persevere in the breach of our known covenants in two points.

p. 89.

' I. In that of error and heresy; for, 1. with the *papists*, they would have their church infallible; their practice testifies this, in declining a minister, be he never so faithful, for the least alledged personal failing; — 2. with the *independents*, upon the least failing of a minister they take upon them the power to depose. I think, *said he*, they needed not to have troubled the church at *Groningen* with the ordination of their *rabbi* Mr. *Renwick*, they might as well have ordained him themselves, ordination being as much in their power as *deposition*; 3. in very little they differ from the *separatists*.

' II. In that of church-discipline and government; — as, 1. their sending over a youth, scarce read in the common heads of divinity, to *Groningen*, a most corrupt church, — having declined the faithful ministers of the church of *Scotland*, and set him up in their room, as *Jeroboam* the son of *Nebat* did when he made idol-calves, crying, *Behold thy gods, O Israel!* — 2. by their meddling with things which only belong to a church-judicatory, and the highest church-judicatory; not only, being *laick* men, they examine faults, yea, absolve the guilty, but also constitute laws and make acts, which none but a general assembly could do. — Must the gospel live and die with Mr. *Renwick*, suppose he was a minister of the church of *Scotland*, which he is not? — For the church of *Groningen* had no more power to ordain a minister of the church of *Scotland*, than the clergy of *England* had, long ago, to consecrate *Sharp* archbishop of *St. Andrews*. This was a severe accusation of being given up of God to believe lies,

p. 90.

lies, &c. &c. But I shall abridge Mr. *Shields's* account of 1686.
the answers given to the above, and the rather that my
author Mr. *Wodrow* has entirely concealed these.

Mr. *Renwick*, and those with him, lamented their breach
of covenant, and wished their brethren, with whom they
contended, were sensible of theirs in all its parts and ar-
ticles, for which they were obliged to discountenance
them, as in complying with, and conniving at many
things ever since of the covenanted reformation, viz. the
supremacy in the former indulgences, &c. their having
many of them made their peace with *papists*; all have
owned the head of *papists*, the great pillar and promoter
of *popery*, &c. &c. — But then, though themselves con-
fessed many breaches, yet they denied these mentioned
by this accuser, who, says Mr. *Shields*, belies, or ig-
norantly misrepresents those with whom he would com-
pare Mr. *Renwick* and his followers. ‘For, 1. the
‘*papists* never pretended that every one of their doc-
‘tors or laicks were infallible,---and the men he accuses
‘have been so far from pretending to infallibility, that
‘they have not declined to publish their resentments
‘and confessions of their mistakes to the world; —
‘but that error they will not confess, — that ever they
‘declined a faithful minister for the least alledged per-
‘sonal failings. — 2. He belies the *independents*, in
‘alleging they take upon them to depose ministers for
‘the least failing; they will disown that. Mr. *Renwick*
‘did ever abhor that *people* should take upon them to
‘depose ministers for any failing, the least or the great-
‘est, nor did he ever allow *people* so much as to with-
‘draw from ministers upon the least failing, but upon
‘such scandals as did bear the weight of withdrawing
‘according to scripture-rules. They had reason and
‘necessity to trouble the church at *Groningen*, not to
‘make a *rabbi* of him, but — to ordain him a minister
‘of the *new testament*, seeing they could neither have
‘clearness in point of duty, nor confidence in point of
‘success, to seek or obtain ordination for him from mi-
‘nisters at home; — and they did always disclaim all
‘power either of ordaining or deposing of themselves.
‘3. He does not say wherein they either agree or differ
‘from the *separatists*. There were never separatists
‘who deposed ministers for the least failing. — 4. If he
‘had been a youth, scarce read in the common heads of
‘divinity, he discovers himself very ill read, when he
‘calls

Mr. Shields's
answers,
ibid p.
91.

p. 92.

p. 93.

p. 94.

1686. *W* calls this a breach of church-government, to send such a youth to a foreign university to be fitted for ordination,—— and then, after tryal—— to be ordained by a reformed sister-church, found in their own, and not contradicting our testimony, when ordination could not be had at home, without the breach of several standing constitutions of the government; yea, without yielding to several corruptions threatening the dissolution and perversion of the whole of it, yea, without bowing to some of the calves *Jeroboam* had set up; for, without—— subjecting himself, either to the idol of *prelacy* or *supremacy*, or something equivalent thereunto, he could not have got ordination in *Scotland* at that time.—— 5. They whom he accuses never examined faults, nor absolved the guilty, in a way belonging to any church-judicature, nor in a way not competent to the meanest private person—— in the kingdom;—— nor did they ever make any laws or acts, but such as any two or three in society might make, by common consent, to determine one another; nor did they ever say, or dream, that the gospel should live and die with *Mr. Renwick*; but that *they* were content to live and die with him, in partaking of gospel ordinances,——whom they esteemed a faithful minister of the church of *Scotland*, and worthy to sit as member of any church-judicatory therein. The church of *Groningen* did not make him a minister of the church of *Scotland*, but ordained him a minister of Christ, —— a minister of the church universal, (which is the primary relation of all ministers) a minister in any church; and, as a persecuted people in *Scotland* called him to be their minister, so he came to have as good right to be a minister of the church of *Scotland*, as *Mr. Rough*, *Mr. Knox*, and several reformers, who were not ordained by the ministers of *Scotland*—— and therefore the difference between the church of *Groningen*'s ordaining *Mr. Renwick*, &c. and the clergy of *England*'s consecrating *Sharp*—— is as great, as between a reformed church ordaining a faithful officer of Christ's kingdom, and a deformed church consecrating a knave, no officer of Christ's, but of *Antichrist*'s kingdom.'

Rise of the Thus I have laid before the reader the substance of these unhappy debates, in the very words of the contending parties, and shall leave him to judge for himself, *informa-*
tory vin-
dicution.

self, and proceed to other things of a more publick nature, when I have observed that these things put Mr. *Renwick* and his followers to publish their *informatory vindication*, which took up several months before it was ready for the press.

About the end of *January*, or beginning of *February*, *A tumult* there were some tumults in *Edinburgh*, by whom the *at Edinburgh* lord *Perth* the chancellor was much affronted. *Bishop* *Burnet* gives the following account of it: 'Affairs in *Scotland* went on much in the same way as in *England*. Some few proselytes were gained.——The earl of *Perth* prevailed with his lady, as she was dying, to change her religion, and, in a very few weeks after her death, married, very indecently, a sister of the duke of *Gordon's*.——The earl set up a private chapel in the court for *mass*, which was not kept so private but that many frequented it. The town of *Edinburgh* was much alarmed at this; and the rabble broke in with such fury that they defaced every thing in the chapel; and, if the earl of *Perth* had not been conveyed away in disguise, he had very probably fallen a sacrifice to popular rage. The guards, upon the alarm, came and dispersed the rabble. Some were taken, and one that was a ringleader in the tumult was executed for it. When at the place of execution, he told Mr. *Malcolm*, one of the ministers of the town who attended him, that he was offered his life if he would accuse the duke of *Queensberry* of having set on the tumult, but he would not save his life by so false a calumny. The incautious minister did not call any to bear witness of this, but went from the execution to the archbishop of *St. Andrews*, and told him what had past. The archbishop acquainted the duke with it, and he wrote to court and complained of it. The king ordered the matter to be examined; so the poor minister, having none to witness what had been said to him, was declared the author of that calumny, and turned out: But how severely soever those in authority may handle a poor incautious man, yet the publick is apt to judge true.' Thus far the bishop.

A letter from the king, dated the 9th of *February*, *King's* came to the ministers of state, declaring his resentment *letter* of the affront given to his chief minister, and ordering those concerned to be brought to condign punishment.

1686. Great care was taken at this time to corrupt the youth. And among other things a BOND was devised, to be signed by the students of the college of *Edinburgh*, declaring their abhorrence of all tumults, and engaging for the future to discourage and discountenance them. How far the students complied with this bond my author does not know.

Proclamation by the earl of Tyrconnel. But it is well known that a storm of popery and slavery was ready to destroy the three nations; and the poor protestants in *Ireland* lay most open to the impending deluge, from the multitude of papists who were ready to act over again their former bloody massacres. Some ministers there, and others, had therefore the justice and courage to warn their fellow protestants of the danger they were in, which was very displeasing to the earl of *Tyrconnel* the lord-deputy, who therefore emitted a proclamation, on the 21st of *February*, against treasonable speeches; for, it seems, it was reckoned treason to preach or speak against popery, or the danger the king's protestant subjects were in from the designs then evidently formed against them: But, as the affairs of *Ireland* are out of my way, I shall not trouble the reader with them. About this time the king wrote to the archbishops of *Canterbury* and *York*, commanding them to enjoin their clergy not to preach upon controverted points, i. e. against popery, according to the directions given by the late king 1662. But, to return to the affairs of *Scotland*,

Mr. Renwick. On the 1st of *March* *David Robertson* writer in *Cowpar* was declared fugitive. And in this month Mr. *Renwick*, desiring to see his old acquaintances, went, with some of his fellow-wanderers, to *Carrick*, where, says Mr. *Shields*, 'they were unexpectedly rencountered with the forementioned *Robert Cathcart*, and others, who challenged him for coming and offering to preach there; and told him that the people in *Carrick* were neither for meeting nor conversing with him. After some debate about the breach of former communion, they conversed concerning *Cathcart's* letter and information, which he owned he had wrote, and intended to explain; but that he had wrote of them not as they were, but as they would be; and that he conversed with Mr. *Renwick* as a minister of the gospel, but not as a minister of the church of *Scotland*, and defended his accusations against the church of *Groningen* as *erastian*,

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stian, and holding *three sprinklings in baptism*. Mr. *Renwick* replied, that many in that church called it a persecution to term them *erastian*, and that, though they they were for three sprinklings in baptism, yet without superstition, since they looked upon it as indifferent. Upon this Mr. *Renwick* was exclaimed against, as if he defended the practice of three sprinklings in baptism. But I shall not trouble the reader with these debates farther than to observe, that, if Mr. *Renwick* and his adherents were too stiff and rigorous in points which some may look upon as indifferent, they who contended with him do not seem to have acted a proper part for bringing about a reconciliation: But these things I must leave with the reader, and go on to things of a more publick nature.

It was known in *March* that the parliament was to meet next month, and the king's design to repeal the *penal laws* was made no secret of, and no method was left unattempted to bring the members to a compliance. The earl of *Moray* was sent down commissioner; but, according to the bishop of *Sarum*, two accidents happened before the opening of the parliament, which made great impressions on the minds of many.

'*Whitford*, son to one of their bishops, before the *Whitwars* had turned *papist*. He was the person who killed *Dorilaus* in *Holland*, and, to get out of *Cromwel's* reach, had gone into the service of the duke of *Savoy*, and was there when the last massacre was committed on the *Vaudois*. He had committed many barbarous murders with his own hands, and had a small pension given him after the *restoration*. He died a few days before the parliament met, and called for some ministers, to whom he declared his renunciation and abhorrence of *popery* for its cruelty, and owned his having been guilty of some execrable murders in *Piedmont*, both of women and children, which had pursued him with an intolerable horror of mind ever after. He had gone to priests of all sorts, who had justified him in all he had done, and given him *absolution*: But his conscience pursued him so, that he died, as in despair, crying out against that *bloody religion*.

The other was more solemn. Sir *Robert Sibbald*, a Sir R. doctor of physick, and the most learned antiquary in *Scotland*, who had lived in a course of philosophical virtue, but

1686.

The king's design in the parliament.

p. 679.

Whitford's last thoughts of popery.

Sibbald's recantation, p. 680.

1686. but in great doubts as to revealed religion, was prevailed on by the earl of *Perth* to turn *papist*, in order to obtain that certainty which he could not find upon his own principles. But he was ashamed of his conduct almost as soon as he made his compliance, went to *London*, and for some months retired from all company, and, after close application to study, came to be so convinced of the errors of *popery*, that he returned to *Scotland* some weeks before the parliament, and could not be easy in his own mind till he made a publick recantation. The bishop of *Edinburgh* was so much a courtier, that, apprehending many might go to hear it, and that it might be offensive to the court, he sent him to do it in a church in the country; but the recantation of so learned a man, upon so much study, had a great effect upon many.

State of
the epi-
scopal
clergy.

Many of the most noted of the established clergy were brought over to the measures of the court, or at least to be silent at this juncture. Vast numbers of them were become *Arminians*, and several were running headlong into *papist* tenets. The bulk of the inferior clergy through the country were grossly ignorant, negligent, and many of them scandalous and profane; so that no stand against *popery* could be expected from them. The bishops were a mixed company, and some of them did appear at this time against the measures of the court: But the only appearance made by the rest of the clergy, against repealing the *penal laws*, was from the synod of *Aberdeen*, who, after some struggle with time-servers, agreed upon an address to Mr. *George Haliburton* their bishop, in which they most pathetically intreated him not to give his consent to the taking off or weakening the force of the *penal statutes*, which they looked upon as one of the hedges of the *protestant* religion. Bishop *Burnet* says, 'The nation, which was become very corrupt, and both ignorant and insensible in matters of religion, began now to return to its old zeal against *popery*. Few proselytes were made after this. The *episcopal* clergy were in many places so sunk into sloth and ignorance, that they were not capable of conducting this zeal. Some of them about *Edinburgh*, and in other places, began to mind those matters, and recovered some degrees of credit by the opposition they made to *popery*. But the *presbyterians*, though they were now freed from the great severities they

they had long smarted under, yet expressed, on all occasions, their unconquerable aversion to *popery*. 1686.

The parliament sat down on the 29th of April, and the king's letter was read, wherein, after thanking them for the services they had done in the last session, and signifying how much he had considered their interest, and sent down an indemnity for all crimes committed against his royal person and authority, he adds, 'And, whilst we shew these acts of mercy to the enemies of our person, crown, and royal dignity, we cannot be unmindful of others: our innocent subjects, those of the ROMAN CATHOLICK religion, who have, with the hazard of their lives and fortunes, been always assistant to the crown, in the worst of rebellions and usurpations, though they lay under discouragements hardly to be named; THEM we do heartily recommend to your care, to the end, that, as they have given good experience of their true loyalty and peaceable behaviour, so, by your assistance, they may have the protection of our laws, and that security under our government which others of our subjects have, not suffering them to ly under obligations which their religion cannot admit of. By doing whereof you will give a demonstration of the duty and affection you have for us, and do us most acceptable service. This love we expect you will shew to your brethren, as you see we are an indulgent father to you all —.'

We need be at no loss to understand whom the king means by his *enemies*. But it seems the favours designed for them were to depend upon those he expected for his INNOCENT *popish* subjects; but how far they assisted the crown in the worst of rebellions is not so easy to conceive, since, generally speaking, they have been continually plotting against it since the reformation. No doubt they were hearty well-wishers to king JAMES, and therefore we need not be surprised at his heartily recommending them to the care of this parliament. This love, says he, we expect to your brethren, as we are an indulgent father to you all. Upon which my author, who has made many excellent remarks on this letter, well worth the reader's perusal, says, They were mightily obliged to their father's *indulgence*, for bringing in his butchering children, their bastard brethren, and

1686. and making them heirs and portioners with the bairns of the house.

Commis-
sioner's
speech.

The commissioner seconded this letter with a particular account of the many advantages the king intended for *Scotland* with respect to trade, and endeavoured to persuade them that his majesty's desires were as much calculated for promoting their interest as his own satisfaction, and concluded with saying, 'By this you will shew yourselves the best and most affectionate subjects, to the best, the incomparable, and most heroic prince in the world.'

Parlia-
ment's
answer.

But, notwithstanding all these fine speeches, the parliament was not so foreward as usual in returning an answer to the king's letter; neither did they chuse at this time to embarrass themselves with their compliments to the throne. Accordingly it was the 6th of *May* before they agreed on an answer; in which, as to what was desired in favour of the *papists*, they expressed themselves in these terms: 'As to that part of your majesty's letter, relating to your subjects of the ROMAN CATHOLICK religion, we shall, in obedience to your majesty's commands, and with tenderness to their persons, take the same into our serious and dutiful consideration, and go as great lengths therein as our conscience will allow, not doubting that your majesty will be careful to secure the protestant religion established by law.' This is the first time, says my author, that he remembers that the parliament speaks of *their conscience* since the *restoration*.

Members
closeted.

The commissioner was at no small pains, during the first month of the session, in closeting the members, after the example of his royal master in *England*, and in using both threatnings and promises, in order to bring them to a compliance, but could not prevail with the most of the nobility and gentry, who continued in their opposing the desired repeal.

No stone was left unturned in electing the lords of the articles, that the king's favourite scheme might meet with no opposition there. It was the 27th of *May* before any draught of an act was agreed to. When it was laid before the house it was warmly opposed, and the courtiers were glad to have it remitted to the lords of the articles: But, instead of bettering it, they made it more disagreeable to the court; for, after all their

their debates, they only came into the following. — 1686.
 ' The estates of parliament, taking to their serious con- sideration his majesty's desire, — for granting ease and relief to his subjects of the *popish* persuasion, — and as they are fully resolved to adhere to the *pro-* *testant* religion, — which is, and always shall be dearer to them than all their worldly concerns; yet, so far as their religion and conscience will allow, to yield a humble and dutiful compliance to his majesty's desires, therefore his majesty, with advice, &c. statutes and ordains, that those of his majesty's subjects, who are of the *Romish* religion, are and shall be under the protection of his majesty's government and laws for their private and civil interests; and shall not, for the exercise of their religion in their private houses, (all publick worship being hereby excluded) incur the danger of sanguinary and other punishments contained in any laws or acts of parliament made against the same. It is always hereby declared, that this immunity — to *papists*, for the exercise of their religion in their *private houses* allenarly, shall not import any allowance or approbation of their religion, or any ways evacuate, infringe, or prejudice the laws and acts of parliament made against *popery*, or in favour of the *protestant* religion, — particularly — the 6th act, *parl.* 3. of king CHARLES II. &c.'

The chancellor, finding that this would not satisfy the king, and being uncertain whether it would pass in the house, thought proper to drop it entirely, so that it was never brought into parliament. What debates were in the house, were when the first draught was laid before them.

Bishop Burnet tells us, ' That the dukes of Hamilton and Queensberry were silent in the debate, the former having promised not to oppose the motion, and the king was made to believe that the latter secretly managed the opposition. *Ross* and *Paterfon* so intirely forgot what became their characters, that they used their utmost endeavours to persuade the parliament to comply with the king's desire. The archbishop of *Glasgow* opposed it but fearfully. *Bruce* bishop of *Dunkeld* did oppose it openly and resolutely, as did likeways *Atkin* bishop of *Galloway*.' But the most of them fell in with the king's design, and the chief of them were active for the

1686. the repeal. Bishop Burnet says farther, That 'Ross and Paterfon, the two governing bishops, resolved to let the king see how compliant they would be. Accordingly they procured an address to be signed by several of their bench, offering to concur with the king in all that he desired with relation to those of his own religion, (for the courtly stile was now, not to name popery any other way, than by calling it the king's religion) provided the laws might still continue in force, and be executed against the presbyterians. With this Paterfon went up; but the earl of Middleton, to whom he shewed it, persuaded him to go back without presenting it.' My author does not know how the bishop of Aberdeen acted on this occasion: Ramsay bishop of Ross used great freedom with the commissioner, for which he was brought into trouble. 'The archbishop of Glasgow and the bishop of Dunkeld were both turned out by express order from the king. Paterfon bishop of Edinburgh was translated to Glasgow, and one Hamilton, noted for profaneness and impiety, that sometimes broke out into blasphemy, obtained the see of Dunkeld. The king, being disappointed, ordered his commissioner to prorogue the parliament.' I must refer my reader to my author's appendix for what was said for and against the repeal of the penal laws at this time. Only I cannot but observe, that great care was taken that nothing might be published against the king's favourite design, or in defence of the standing laws; whereas papers on the other side of the question were industriously dispersed, and many popish books and pamphlets were spread for corrupting the nation.

On the 2d of June lord Pitmedden was turned out of the justiciary. His steady attachment to the protestant religion, and his opposition to popery, procured him this. And on the 16th the council emitted a proclamation against slanderers and leasing-makers, because several ministers, and others, had, in sermons and other discourses, alarmed the people, &c.

On the 14th of July Gavin Weir and William MacMillan, who had been in prison for Bothwell, were released; the former because there was not evidence against him, and the latter upon making satisfying compliances. But, not to insist now on these things,

When the king's project was defeated in this parliament, he fell upon other methods for bringing in po-

Burnet,
ibid.

* The
king acts
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pists to places of profit and trust, and overturning the 1686.
 protestant religion. Accordingly his majesty made use
 of a dispensing power, and had a party about him that
 would have us to believe, *That power in the king to dis-*
pense with laws, was law. To maintain this there
 were not only mercenary pens set a-work, but a set
 of judges found out, that, to their eternal reproach, did
 all that was possible for them to compliment the king
 with the liberties of their country. For these gentle-
 men gave it for law,-----*That the kings of England are* ^{which is}
sovereign princes; that the laws of England are the king's ^{declared}
laws; that therefore it is an inseparable prerogative in the Eng- ^{legal by}
lish kings of England-----to dispense with penal laws in
particular cases, and upon particular necessary reasons; that ^{judges.}
of those reasons and those necessities the king himself is the
sole judge; and that this is not a trust invested in, or
granted to the king by the people, but is the ancient re-
main of the sovereign power and prerogative of the kings
of England, which never yet was taken from them, nor can
be.-----In consequence of this a new court of inquisiti- ^{Ecclesiastical com-}
 on was erected, under the name of a commission for eccle- ^{mission.}
 siastical affairs, which was against an express act of par-
 liament: But, as the king was pushing his design with
 great vigour in England, as the reader may see in the
 English historians, so he acted in the same arbitrary man-
 ner in Scotland; for, though he could not get the con-
 sent of the parliament there to the repeal of the penal
 statutes, he did it without them by his own dispensing
 power.

Accordingly he first turned the best protestants out of Prote-
 the council, and supplied their place with papists. Thus stants
 the earls of Mar, Lothian, Dumfries, &c. were made to turned
 give place to the duke of Gordon, earls of Traquair and
 Seaforth, and other papists. The council being thus
 modelled to his mind, he sent them a most remarkable
 letter, of which the following is a short abstract.

‘Right trusty, &c. It was not any doubt we had of King’s
 ‘our power, in the putting a stop to the unreason- letter dis-
 ‘able severities of the acts of parliament against those pensing
 ‘of the Roman catholick religion, that made us bring in with the
 ‘our designs to our parliament but to give our loyal penal
 ‘subjects a new opportunity of shewing their duty to laws.
 ‘us, &c. in which we promised ourselves their hearty
 ‘and dutiful concurrence, as what was founded on
 Vol. II. D d d ‘that

1686. ' that solid justice we are resolved to distribute to all,
 ' and consequently to our *catholick* subjects; — for,
 ' when unnatural rebellions have been raised against our
 ' royal father, brother, and us, by *protestant* defenders
 ' of *those laws*, — the *Roman catholicks* have still adher-
 ' ed to the royal interest, — supported the crown,
 ' died for the peace of their persecutors, and thought
 ' nothing too dear to buy the generous character of re-
 ' ligious towards God, and loyal towards their sovereigns.
 ' When all this had appeared, — we could do no less
 ' than secure the INNOCENT *catholicks* from these
 ' pains. —

' We have also thought fit to let you know, that, as
 ' we HAVE performed our part, in supporting those of
 ' the *protestant* religion, so we are resolved to protect
 ' our *catholick* subjects against all the insults of their
 ' enemies, and severity of the laws made against them
 ' heretofore; notwithstanding all which, we hereby al-
 ' low them the free private exercise of their religion in
 ' houses, in which we — require you to support and
 ' maintain them. —

' And to the end the *catholick* worship may, with the
 ' more decency and security, be exercised at *Edinburgh*,
 ' we have thought fit to establish our chapel within our
 ' palace of *Holy-rood-house*, and to appoint a number
 ' of chaplains, and others, whom we require you to
 ' have in your special protection and care. — You
 ' are likewise to take care that there be no preachers,
 ' nor others, suffered to insinuate to the people any
 ' fears or jealousies, as if we intended to make any vi-
 ' olent alteration; and if any shall be so bold, you are
 ' to punish them according to law; — for it is far
 ' from our thoughts to use any violence in matters of
 ' conscience, consistent with our authority and the peace
 ' of our ancient kingdom.' —

Remarks.

The rest of this plain letter contains the king's re-
 solutions to maintain the bishops and inferior clergy,
 and all his subjects, in their rights and privileges, and
 therefore he hopes that all compliance and concurrence
 will be given to these things; so that, upon the whole,
 what his majesty could not get done by the parliament,
 he was resolved to do by his own authority; and in-
 deed it must be owned, that, since the *restoration*, the
 the parliaments of *Scotland*, which should have preserv-
 ed the liberties of the subject, complimented the king
 with

with an absolute authority. It is easy here to observe 1686. with what contempt he speaks of the laws for the security of the *protestant* religion against the wicked designs of the *papists*; how mightily he extols their loyalty to his father, brother, and himself; how he brands the *protestants* as seditious and rebellious; and how he had already performed *his part* in supporting those of the *protestant* religion; and consequently his resolutions, from this time forward, to support his *innocent catholic subjects*, do not seem consistent with his promises to maintain the bishops and inferior clergy. These and other things cannot but furnish the *protestant* reader with proper reflexions.

In *September* the council emitted a proclamation *Indemnity* containing the king's indemnity to the common people in the shires of *Argyll* and *Tarbet*; but then this indemnity regarded only their lives; their goods and chattels were exposed to every one who should be pleased to attack them.

I have given a pretty full account of the state of Mr. *William Renwick* and his followers, and how he was deserted and accused by several who had formerly adhered to him. *William MacHutchinson's protestation.* Notwithstanding all the discouragements he met with, he continued preaching, catechising and baptizing; but, as he travelled through *Galloway*, a protestation was given to him by *William MacHutchinson*, in the name of all the professors between *Dee* and *Cree*, of which the following is the substance.

' We underscribers,——considering—— the woful
' effects of division,——especially among ourselves,
' ——proceeding partly from some paying *cess*, hear-
' ing *curates*, taking the late *abjuration-oath*, and part-
' ly from others condemning these things, and adher-
' ing to the late *declaration* on the church-doors——
' and to Mr. *J. Renwick*, without the consent and ap-
' probation of the remnant godly and faithful ministers
' ——we do hereby refer and submit ourselves, in all
' these, to an assembly of faithful ministers and elders,
' ——the only competent judges of such *debateable*
' principles and practices,——and promising, on the
' one hand, to give satisfaction to the church,——as
' we shall be found guilty ——of any thing done by
' us to the scandal of our dear brethren; and, on the
' other, to forbear to join with Mr. *J. Renwick*, till
' ——his ordination be seen and approved of by a
' compe-

1686.

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competent number of the faithful ministers of the church of Scotland,-----and are willing, upon his submission to his brethren, to receive him into our bosom ;-----but if he, at the desire of strangers, or any of our brethren dividing from us, intrude himself on our labours-----till-----we have the mind of faithful ministers, we will protest against all such dealing, as horrid and abominable usurpation. Subscribed, in the name of the whole, by *William MacHutchison.*

Ren-
wick's
life, p.
101.

As Mr. *Renwick* told his mind to the two men that brought this paper, which, according to Mr. *Wodrow*, was on the 22d of *October* ; so, on the *Thursday* following, he read it over at a publick meeting in the fields, and animadverted upon it, as a paper that overturned many pieces of the reformation, in calling hearing of curates, paying the cess, and swearing the *abjuration-oath*, *debateable* principles ; and exhorted them, if there were any there that concurred in it, to retract the same, and those who were innocent to protest their innocence before the Lord, as in his letter to *Earl Stoun* 1687.

Mr.
Shields
joined the
societies.

One *Welsh* of *Cornlee* gave in likewise a verbal protestation against him ; but soon after this, as his work daily increased, and his difficulties multiplied, Mr. *David Houston* from *Ireland*, and the reverend Mr. *Alexander Shields*, took part with him, and were received by him with great chearfulness ; by which it appeared that it was an unjust reflexion upon him, that he never desired to join with another minister. How far Mr. *Shields* was against some of the heights, as my author expresses himself, that Mr. *Renwick*, and some of his followers, ran into, I know not ; but this is certain, that he concurred with him in the *informatory vindication*, defended the chief points in controversy, in his *Hind let loose*, and vindicated the heads of his dying testimony, in the *history of his life* ; but these things I must leave, and conclude this year with some things of which I have not the dates, when I have observed, that, on the 9th of *December*, a proclamation was issued, offering a reward of 100 *L. sterl.* to any who should bring in Mr. *Renwick* dead or alive.

Suffer-
ings of
Mr.
Will.
Pat. and
D. Cum-
ings.

Some time this year Mess. *William*, *Patrick* and *Duncan Cumings* were forced to retire to *Ireland*. Mr. *William Cumings*, after the year 1660. was unanimously chosen humanity-professor in the college of *Edinburgh*, having no other recommendation but his bright parts, in which he out-shone six other competitors, and, a few

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years after, was admitted, without trial, professor of 1686.
philosophy there. *Sharp* understanding that, before
this, he had been licensed to preach by *presbyterian* mi-
nisters, so harassed him that he was obliged to demit
his office, notwithstanding the intercession of several
noblemen and gentlemen, to whom his usual answer
was, *That he would pervert the nation with whiggish and*
fanatical principles. Mr. *Cuming* then went abroad tu-
tor to lord *Lorn*, afterward the first duke of *Argyll*.
When he left that nobleman he passed his time in *Hol-*
land and *France* till the death of the late king, when
he went to *Ireland*, where he died. His brother Mr.
Patrick, who was educated under his care, was fixed,
while but 18 years of age, at the school of *Irvine*,
where, by his pregnant genius and close application,
he raised a school so renowned, that not only the most
of the noblemen and gentlemen's sons in the west of
Scotland, but some from *England*, *Ireland* and *France*
were educated there. After he had continued 12 years
remarkably useful, and in great esteem, notwithstanding
his being frequently pushed at for his principles, he was
discharged to teach any longer; however, at the pres-
sing solicitations of the inhabitants, he continued ano-
ther half year, his school being the chief support of
the place. Then, a warrant being granted for appre-
hending him dead or alive, he was obliged to retire to
Holland and *France*; and at last, this year, he follow-
ed his brother to *Ireland*, where he preached the go-
spel, as colleague with Mr. *J. Boyse*, till after the *revolu-*
tion, when he returned to *Scotland*, and was fixed mi-
nister at *Ormistoun*, where he died 1732. Mr. *Duncan*
Cuming, a younger brother, was governor to a young
gentlemen who was taught at *Irvine* school, and was
for some time one of his brother's assistants. At last
he was persuaded by Mr. *George Hutchison*, Mr. *Wed-*
derburn, and other indulged ministers, to commence a
preacher. This coming to the government's ears he
fled with his brother to *Holland*, where he studied phy-
sick. After that he followed his brothers to *Ireland*,
where he acted as a physician in *Dublin*. Such was the
reputation he gained in that country, that he was em-
ployed by the *protestant* dissenters there to go to *Hol-*
land with their address to the prince of *Orange* 1688.
which his highness graciously received, and by whom
he was afterwards promoted to be one of his physicians
to

1686. to his army in Ireland. He was, like his brethren, eminent for piety, a father to the poor, and a great promoter of the dissenting interest in that kingdom, till his death in September 1727. Mr. Boyse preached his funeral sermon, and gives his character at large.

D. Steil murdered. In December this year, David Steil, in the parish of Lefmahago, was surprised in the fields by lieutenant Crichton, and, after he had surrendered upon quarters, was most barbarously shot, and lies buried in the church-yard there. I now go on to the year 1687.

1687. It is easy to see, from the former proceedings, what quick advances were making towards Rome. The king's promises to the English council, to preserve the protestant religion, were entirely forgot, and none was so bold as to remind him of them. It was even dangerous to speak of these things in publick conversation, for fear of some mischievous consequences. Protestants were turned out, and papists succeeded them, and none but papists, or protestants who were not attached to their own religion, could pretend to any employments; nay, matters were carried on so openly, that some of the principal catholicks could not forbear representing to the king, that his proceedings were more dangerous than advantageous to their religion; but JAMES was deaf to all councils which were not violent; these only were agreeable to his temper and zeal.

Letter from a jesuit at Liege.

A jesuit of Liege, in a letter to a jesuit of Fribourg, dated the 2d of February, gives a clear representation of this, saying, among other things, 'It is wonderful to see king JAMES's great affection to our society. — Upon father John Keynes's return to England, he gave him a most gracious reception, (while earls and dukes were commanded, for some hours, to wait for admittance) — and ordered that the candidates for orders should be all exercised in the art of preaching; for now, says he, England has need of such. — Father Clare being arrived at London — the king forbid him to kneel and kiss his hand, — saying, Reverend father, you have indeed once kissed my hand; but if I had known then, as I do now, that you were a priest, I would rather myself, father, have kneeled down and kissed your hand; and told him that he would either convert England, or die a MARTYR. — Finally, he called himself a SON OF THE SOCIETY, of whose good success, he said, he was as glad as of his own. — Not long since

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one of the lords objected that they thought he made too much haste to establish the FAITH. To whom he answered, I am growing old, and must take LARGE STEPS, else, if I should happen to die, I might perhaps leave you in a worse condition than I found you. When they asked him, why then he was so little concerned about the conversion of his daughters, who were the heirs of the kingdom? He answered, God will take care of THAT. Leave the conversion of my daughters to me. Do you, by your example, convert your tenants and others to the FAITH. The rest of this well known letter shews what progress the king had made in favour of papists, which I need not here repeat. Therefore I shall briefly relate the affairs of Scotland this year, the most remarkable of which was the TOLERATION.

The artillery of the government was chiefly directed against Mr. Renwick and his followers. Accordingly, as James Cunningham merchant in Glasgow, and John Buchanan cooper there, were returning from hearing a sermon in the fields, they were sent prisoners to Edinburgh, and banished to Barbadoes.

J. Cunningham, &c. banished.

On the 1st of February Sir David Dalrymple was admitted king's advocate in the room of Sir George MacKenzie, who was turned out, because, as my author thinks, he had not been hearty in the repeal of the penal statutes.

Sir D. Dalrymple made advocate.

The same day James Slofs merchant in Glasgow, and a great many country people from the parish of Kilbride, who had been confined for alledged accession to Bothwell, were released; but things of a more publick nature require our consideration.

As all methods were used, that the present circumstances could permit, for establishing popery in England, so the like attempts were made for promoting the same cause in Scotland. The king, by his royal prerogative, had last year established a popish chapel at Holy-wood-house, and allowed the papists the exercise of their religion in private houses; and multitudes of seminary priests having come from abroad, and not a few of the nobility and gentry, and the most active persecutors during the former years, having professed popery, on the 17th of February the council received a letter from the king, with a remarkable proclamation inclosed. In the letter, he tells them, among other things, that, while he thinks fit to give ease to tender-consciences, he, at the same time, expressed

King's letter and proclamation.

1687. expressed 'his highest indignation against those enemies
 ' of christianity, as well as government and human socie-
 ' ty, the *field-conventiclers*, whom he recommends to the
 ' council to root out with all the severity of the laws,
 ' and the most vigorous prosecution of the forces, it be-
 ' ing equally his and his people's concern to be rid of
 ' them.' The king, in the proclamation, among other
 this, says,

' We have thought fit to grant, and, by our sovereign
 authority, prerogative royal and *absolute power*, which all
 our subjects are to obey *without reserve*, do hereby give
 and grant our royal TOLERATION to the several profes-
 sors of the christian religion after-named, and under the
 several conditions, &c. after-mentioned. In the first
 place, we-----tolerate the *moderate presbyterians* to meet
 in their private houses, and there to hear such ministers
 as either have or are willing to accept of our *indul-
 gence* allenary, and that there be not any thing said
 or done contrary to the well and peace of our reign,
 seditious or treasonable, under the highest pains their
 crimes will import; nor are they to presume to build
 meeting-houses, or to use out-houses or barns——It is
 our royal will and pleasure, that *field-conventicles*, and
 such as preach at them, or who shall any way assist or
 connive at them, shall be prosecuted according to the
 utmost severity of the laws made against them——In
 like manner we tolerate *quakers*, &c. and by the same
absolute power, we suspend, stop and disable all laws, or
 acts of parliament, customs or constitutions against any
 of our *Roman catholick* subjects;——so that they shall
 in all things be as free, in all respects, as any *protestant*
 subjects whatsoever, not only to exercise their religion,
 but to enjoy all offices, *benefices*, &c. which we shall
 think fit to bestow upon them, in all time coming,——
 and——do cass, annul and discharge all oaths whatsoe-
 ver, by which any of our subjects are——disabled from
 holding places, &c. and all laws enjoyning the said oaths,
 ——and, in place of them, the following oath ONLY is
 to be taken. I A. B. do acknowledge, testify, and declare,
 that JAMES VII. by the grace of God, king of Scotland,
 England, France and Ireland, defender of the faith, &c.
 is rightful king, and supreme governor of these realms, and
 over all persons therein: and that it is unlawful for sub-
 jects, on any pretence, or for any cause whatsoever, to rise
 in arms against him, or any commissioned by him; and that
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I shall never so rise in arms, nor assist any that shall so do; and that I shall never resist his power or authority, nor ever oppose his authority to his person, as I shall answer to God; but shall, to the utmost of my power, assist, defend and maintain him, his heirs and lawful successors, in the exercise of their absolute power and authority against all deadly. So help me GOD. 1687

And by our authority foresaid——we give our ample and full indemnity to all the foresaid sorts of people,——and think fit to declare, that——we will never suffer violence to be offered to any man's conscience, nor will we use force or *invincible* necessity against any man on account of his persuasion, but will protect our bishops in their functions, rights and properties, &c.——and employ indifferently all our subjects of all persuasions,——so long as we find unity and charity maintained.

This proclamation, called K. James's first indulgence, *Remarks* speaks for itself. Here he not only sets himself above all laws, by claiming an *unreserved* obedience to his *absolute* power and authority, but requires all his subjects to swear to maintain him in it; but though he requires obedience without reserve, yet he has a very evident *reserve* in his promises to use no *invincible* necessity to force his subjects to change their religion. In short, this was so glaring a subversion of the liberties of mankind, that it was disregarded by all, except most of the councillors, who, having published the proclamation with all solemnity at the cross of *Edinburgh* on the 18th, returned an answer to the king's letter on the 24th, acquainting him with their ready obedience to his commands, and their resolution to pursue the ends of his royal proclamation, and signifying their approbation of *papists* being put into places of trust, and thanking him for his *royal word* for maintaining the *protestant* religion, as the best security they could have. This obsequious letter was signed by the chancellor, the two archbishops, and others; but the duke of *Hamilton*, the earls of *Panmure* and *Dundonald*, had the honour to refuse to subscribe it. Wherefore the king, in a letter of the 1st of *March*, ordered the two last of these noblemen to be put from the council-board, and declared, that, though he was displeased with the conduct of duke *Hamilton*, yet he suspended his resentment *for the present*. In the same letter he charged them to suffer no *presbyterians* to preach without their allowance, and until they

1687. had taken the *oath* enjoined by proclamation; so that the *papists* were the only persons that had the benefit of his majesty's favour at this time, unless it was the *quakers*, whose affirmation would, I suppose, be accepted. And thus matters stood till the end of *March*.

Camp-
bell of
Oab, &c. Mean while, on the 4th of *March*, the lords of *justiciary* passed sentence of death on *Campbell of Oab*, *Campbell of Drumfunish*, *Campbell of Dalton*, and *Campbell of Ulva*, and ordered them to be executed when apprehended. And on the 8th they passed the like sentence on *Lawmont of Meandrynan*, *Campbell of Aitarich*, *MacFun of Invernydan*, *MacCallum of Reanlochtean*, *MacFun of Dryp*, and *Campbell of Sonachan*. All these for their accession to *Argyll*.

Informa-
tory vin-
dication
published. This month of *March* the *informatory vindication* of the societies, written conjunctly, as the title bears, by *Mr. Kenwick* and *Mr. Shields*, was agreed to. It was printed in *Holland*, and they took care to disperse as many copies of it as they could. It has been several times reprinted since, and therefore I refer the reader to it.

Second in-
dulgence. For reasons best known to the court, the king, on the 31st of *March*, wrote another letter to the council, called the *second indulgence*, with an appearance of mitigating some things in the former, in which he says, 'It is now our will and pleasure, and we do hereby authorise and require you, to grant * them, or any of them, our said *indulgence*, without being obliged to take the *oath*, with power unto them to enjoy the benefit of the said *indulgence*, (during our pleasure only) or so long as you shall find they behave themselves regularly, or peaceably, without giving any cause of offence to us, or any in authority or trust under us, in our government.'—None of the *presbyterian* ministers accepted of this *indulgence*.

Proceed-
ings of the
council not
the sense of
the nation. *Mr. Rapin*, upon the first proclamation, says justly, The council of *Scotland* blindly obeyed the king, not only by publishing his proclamation, but even by thanking him for it as a signal favour; and adds, This ought not to appear strange, because the council wholly consisted of men entirely devoted to the king, nor was there any person in publick office, who was not, or at least pretended not to be, of the same principles. And a little farther, It is not therefore to the whole *Scots* nation that this *blind* obedience is to be imputed, but to their governors,

Chap. 14. CHURCH of SCOTLAND. 403

governors, who were but a small part of the people; 1687. but if Mr. *Rapin*, who was but a stranger, had traced this matter to its true original, he would have landed it in *prelacy*; for it is well known that the *first* parliament after the *restoration* vested the king with a power to order all things relative to the external government and policy of the church.

The king, finding matters go so well in *Scotland*, called a council in *England*, and declared his resolution to issue out a declaration for a general liberty of conscience to all persons of what persuasion soever; and, among other things, said, 'That it was his opinion, as 'most suitable to the principles of christianity, that no 'man should be persecuted for conscience sake; for he 'thought conscience could not be forced; and that it could 'never be the true interest of a king of *England* to endeavour to do it. Accordingly, on the 4th of *April*, he caused his declaration for liberty of conscience to be published; only he took care to soften his expressions with respect to his *absolute power*; but this I leave to the *English* historians. Matters continued much on the same footing in *Scotland* till *July*, when a most ample indulgence was published.

Mean while, in the month of *April*, 16 men and 5 women were banished to *America*, because they would not own the present authority to be according to the word of God, nor disown the *Sanguhar* declaration, nor engage not to hear Mr. *Renwick*. Their testimony against the evils of the times is signed thus: James Hamilton, James Douglass, John Brown, George White, Alex. Baily, Gil. MacCulloch, Thomas Brown, John Wight, John Russel, Will. Hanna, John Stuart, James Richart, John White, John Aitkin, Robert Mitchel, Will. Howie, Isabel Cassils, Agnes Keir, Isabel Steil, Margaret Weir, Bessie Weir.

On the 4th of *May* a long process against many country people, for their accession to *Bothwell*, commenced before the lords of *justiciary*, who, after all the pains that were taken, were obliged to acquit the prisoners for want of sufficient evidence. On the 7th of *May* others were indicted for hearing Mr. *Renwick*, but the process, for ought appears, came to nothing.

In this month Mr. *Spreul*, who had been prisoner in the *Bass* for near six years, gave in a petition to the council, craving to be set at liberty. Accordingly, on the

Liberty of
conscience
in Eng-
land.

Twenty
one ba-
nished.

Prisoners
acquitted.

Mr.
Spreul
released.

1687. the 13th of May, the council made an act empowering *Charles Maitland* the governor of the *Bass* to release him, in regard of his majesty's late proclamation, upon his finding bail to appear before them next June. Mr. *Spreul* signified to the governor, that he did not chuse to accept of liberty upon any terms that signified his approbation of the said proclamation, and therefore was continued in prison till a letter came requiring the governor to set open the doors to him, and tell him he might go or stay as he pleased; Wherefore, after so long confinement, he came out, protesting against what he took to be wrong in the orders and proclamation, went to *Edinburgh*, waited on the councillors, thanked them for his liberty, and verbally renewed his protest against the the said proclamation and orders. Thus ended the troubles of this good man.

On the 30th of June several were indicted for accession to *Bothwell*, but the process was dropt.

Process against Dr. Gilbert Burnet. Hist. of his own times, p. 726, &c.

During these things a process was carrying on against Dr. *Gilbert Burnet*, afterwards bishop of *Sarum*. He tells us, 'That his continuing at the *Hague* made the king conclude that he was managing designs against him.' Some papers printed in *Holland*, and dispersed through all parts of *England*, reflecting on the proceedings there, most of them wrote by the doctor, inflamed the king the more against him. But that which gave the crisis to the king's anger was, that he heard of his going to be married to a considerable fortune at the *Hague*. So a project was formed to break off the match, by charging him with high treason for conversing with *Argyll* and other outlawed persons. The king therefore ordered a letter to be wrote, in his name, to the advocate in *Scotland*, to prosecute him for some probable thing or another; which was intended only to make a noise, not doubting but that would break the intended marriage. The doctor, getting timely notice of this, petitioned the *States* to be naturalized in order to his intended marriage; which being complied with, he wrote several letters, in his own vindication, to the earl of *Middleton*, which the reader may see in Mr. *Wedrow's* history, Vol. II. p. 609, 610, 611. In the first of these, dated at the *Hague*, May 3. 1687. he said, That, his being now naturalized in *Holland*, his allegiance, during his stay there, was transferred from his majesty to the sovereignty of these provinces,

provinces, and that he would be sorry if any judgment 1687.
 that should pass in *Scotland* against him, should oblige
 him, in his own defence, to appear in print, and make
 a recital of the share he had in affairs for twenty years
 past, and therein mention many particulars that he was
 afraid must be displeasing to his majesty. The doctor's
 first citation or indictment, dated *April* the 19th, had
 then reached him, containing his converse with *Argyll*,
&c. as above; but, when it did, he wrote his second
 letter to the secretary, and, in a most distinct and par-
 ticular manner, shewed the falshood of every thing laid
 to his charge: But, his adversaries willing to make a
 handle of every thing, the first citation was dropt, and
 another indictment was drawn up against him, founded
 upon his saying that his allegiance was *transferred from*
his majesty to the States. He gave a most distinct answer
 to this in a third letter to the secretary; but no re-
 gard was paid to any thing he offered in his own ju-
 stification, however just and equitable; So that, at last,
 in the beginning of *July*, a sentence of outlawry was
 given against him; upon which *Albeville* said, that, if
 the *States* would not deliver him up, he would find
 such instruments as would carry him away by force.
 It must be owned that the doctor had shewn no small
 zeal against *popery*: And therefore, as things were then,
 the reader cannot be surpris'd though he was singled
 out as one of the objects of the resentments of a *popish*
 king and his complying courtiers. But, to proceed to
 things of another nature,

At length, on the 5th of *July*, the council received *Third in-*
 another proclamation from the king, for *liberty of con-* *science,*
science, which they ordered to be published with all *or tolera-*
 due solemnities, and of which the tenor follows. *tion.*

‘ *JAMES II. &c.*

‘ **W** E now taking into our royal consideration the *A procla-*
 ‘ sinistrous interpretations which either have, *mation.*
 ‘ or may be made of some restrictions, (mentioned in
 ‘ the last) have thought fit, by this,---farther to declare,
 ‘ that we protect our archbishops, &c. in the free exer-
 ‘ cise of *THEIR protestant religion*.----And we do like-
 ‘ ways, by our sovereign authority, prerogative royal,
 ‘ and *absolute power*, suspend, stop and disable all *penal*
 ‘ and *sanguinary laws* made against any for *non-confor-*
 ‘ mity to the religion established by law in that our
 ‘ ancient

1687. ' ancient kingdom. — And to the end that, by the
 ' liberty thereby granted, the peace and security of our
 ' government, in the practice thereof, may not be en-
 ' dangered, we — hereby strictly charge all our lov-
 ' ing subjects, that, as we do give them leave to meet
 ' and serve God *after their own way*, be it in private
 ' houses, chapels, or places purposely hired or built
 ' for that use, so that they take care that nothing be
 ' preached, or taught, which may anyways tend to a-
 ' lienate the hearts of our people from us or our go-
 ' vernment; and that their meetings be peaceably and
 ' openly held, and all persons freely admitted to them,
 ' and that they do signify and make known, to some
 ' one or more of the next privy-councillors, sheriffs,
 ' &c. what place or places they set apart for these
 ' uses, with the names of the preachers, — and that
 ' no disturbance of any kind be made, or given them,
 ' under the pain of our royal displeasure: — Pro-
 ' vided always that their meetings be in houses, or
 ' places appointed for the purpose, not in the open
 ' fields, for which now, after this our royal grace
 ' and favour, (which surpasses the hopes, and equals
 ' the very wishes of the most zealously concerned)
 ' there is not the least shadow of excuse left, which
 ' meetings *in the field* we do hereby prohibit, — a-
 ' gainst all which we do leave our laws and acts of par-
 ' liament in full force and vigour, notwithstanding the
 ' premises; and do farther command all our judges
 ' and magistrates, and officers of our forces, to prose-
 ' cute such as shall be guilty of *field-conventicles*, —
 ' for we are confident none will, after *this*, — pre-
 ' sume to meet in these assemblies, except such as make
 ' a pretence of religion to cover their treasonable de-
 ' signs against our royal person, and the peace of our
 ' government —.'

*Accepted by presby-
 terian mi-
 nisters.* This liberty was accepted by the generality of the
 ' presbyterian ministers in the kingdom. For, though
 ' they were persuaded that it was not granted from any
 ' regard to them, or their adherents, but rather for in-
 ' troducing *popery*; yet they considered that they had a
 ' right to it, and that their right had been unjustly in-
 ' vaded for many years, and that it would have been a
 ' strange thing if they should have been backward to
 ' preach and hear the gospel, when a door was opened
 ' for it, because some men had a design against the go-
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spel in their opening it. Besides, if they had peevishly refused this liberty, *that* would never have hindered the *papists* from reaping the benefit of it, but, on the contrary, would have strengthened *popery*, by putting themselves out of capacity to oppose it, and the *papists* would have had the fairest occasion imaginable to mislead the people: And therefore they looked on themselves as bound to make the best use of it, because it brought, for the present, a great and singular relief to thousands, who had for so many years been groaning under heavy oppressions, and gave an opportunity to most of the ministers, who had either retired, or been banished, to return to their native country, as Mr. J. Veitch, Mr. G. Campbell, afterwards professor of divinity in the college of Edinburgh, Mr. P. Warner, Mr. Alexander Pitcairn, a person of singular abilities, Mr. James Kirkcoun, Mr. Alexander Hastie, Mr. Thomas Hog, Mr. John Harroway, Mr. Andrew Cameron, Mr. William Moncrief, Mr. Patrick Cowpar, and others.

The *presbyterian* ministers, from different parts of the country, met at *Edinburgh* about the 20th of July, and agreed to accept the benefit of this *toleration*; and, after some reasoning upon addressing the king, which several were averse to, a considerable number of them agreed to the following address.

May it please your majesty,

WE your majesty's most loyal subjects, the ministers of the *presbyterian* persuasion in your ancient kingdom of *Scotland*, from the deep sense we have of his majesty's gracious and surprising favour, in not only putting a stop to our long sad sufferings for *non-conformity*, but granting us the *liberty* of the publick and peaceable exercise of our ministerial function, without any hazard; as we bless the great God who hath put this into your royal heart, do withal find ourselves bound in duty to offer our most humble and hearty thanks to your sacred majesty, the favour bestowed being to us, and all the people of our persuasion, valuable above all our earthly comforts, especially since we have ground, from your majesty, to believe that our loyalty is not to be questioned upon the account of our being *presbyterians*, who, as we have, amidst all former temptations, endeavoured, so are firmly resolved still to preserve an entire

Their address of thanks.

loyalty

1687. 'loyalty in our doctrine and practice (consonant to
 'our known principles, which, according to the holy
 'scriptures, are contained in the *confession of faith*, ge-
 'nerally owned by *presbyterians* in all your majesty's
 'dominions) and, by the help of God, so to demean
 'ourselves, as your majesty may find cause rather to
 'to enlarge than to diminish your favours towards us,
 'thoroughly persuading ourselves, from your majesty's
 'justice and goodness, that, if we shall at any time be
 'otherways represented, your majesty will not give
 'credit to such information until you take due cogni-
 'tion thereof; and humbly beseeching that those who
 'promote any disloyal principles and practices (as we
 'disown them) may be looked upon as none of ours,
 'whatsoever name they may assume to themselves.
 'May it please your most excellent majesty graciously
 'to accept this our most humble address, as proceed-
 'ing from the plainness and sincerity of loyal and
 'thankful hearts, much engaged by this your royal fa-
 'vour to continue our fervent prayers to the king of
 'kings for divine illumination and conduct, with all
 'other blessings, spiritual and temporal, ever to at-
 'tend your royal person and government; which is
 'the greatest duty can be rendered to your majesty by

'your majesty's

'most humble,

'most faithful,

'and most obedient subjects.

'Subscribed in our name, and in the names of the
 'rest of the brethren of our persuasion, at their de-
 'fire.'

This meeting of ministers, says my author, was but
 an occasional meeting, wherein every one acted as he
 saw good, and withdrew when he was not satisfied, and
 was not by delegation from the rest in *Scotland*, nor any
 judicatory; and, if that was the case, one would be
 apt to think they took by far too much upon them.
 About this time many of the *presbyterians* in and about
Edinburgh drew up an address still more florid than the
 above.

A synod
 at Glas-
 gow.

The meeting of ministers at *Edinburgh*, having thus
 agreed to address the throne, laid down several rules
 in order to make the best of the *liberty* now granted
 them.

them. And looking upon themselves as now freed from bonds and fetters, they set up, says my author, not only worship, but also discipline and government; their judicatures met, and every thing was done as far as circumstances would permit. And, at a synod that met in a house at *Glasgow*, Mr. *William Violant* was chosen moderator, and the care of students of divinity was committed to the reverend Mr. *James Wodrow*, under whom great numbers had their education, and became very serviceable to the church of Christ in *Scotland*, and elsewhere. In short, the friends of liberty, by this toleration, had access to be together, and to strengthen one anothers hands. The prince of *Orange*, on this occasion, had these words to the reverend Mr. *Patrick Warner* before he returned to *Scotland*: 'I understand you are called home upon the liberty granted there; but I can assure you THAT liberty is not granted from any favour or kindness to you, or your party, but from favour to *papists*, and to divide you among yourselves; yet I think you may be so wise as to take the good of it, and prevent the evil designed, and, instead of dividing, come to a better harmony among yourselves, when you have liberty to see one another, and meet freely together.'

But Mr. *Renwick* and his followers paid no regard to this toleration, and were much offended with those who complied with it, and addressed the king on account of it; and indeed, notwithstanding all this shew of clemency, they were as much exposed as ever. And, as I have shewn the grounds upon which the accepters of the toleration went, I cannot but in justice shew likewise the principal reasons why the others did not comply.

1. They considered the granter as a person with whom they could not communicate in any transaction of this nature, being bound by his principles to keep no faith with *hereticks*, and having in his practice discovered, in several instances, his treachery and dissimulation. 2. They considered that accepting a toleration from him was a bargaining with an apostate, bigotted, excommunicated *papist*, and, as such, under the mediator's malediction, yea, and heir to his own grandfather's imprecations, who wished the curse of God to fall upon such of his posterity as should, at any time, turn *papists*; and therefore they could not be at peace, associate,

1687.

associate, or bargain with him. 3. They considered that they could not own him in the relation of a *magistrate*, because they had not only renounced him, but, by the laws of the land, he was incapable of government, having neither given, nor could give the oath and security indispensibly required; whereas, did they accept of *HIS toleration*, they owned his *magistral* authority. 4. They considered this *toleration* as flowing from his *absolute power*, a power which all were to obey *without reserve*, which cannot be limited by laws, &c. and therefore they could not accept of it, without acknowledging a power inconsistent with the law of God and liberties of mankind. 5. They considered that they could not accept of this *toleration*, without giving a virtual approbation of the *dispensing* with the *penal laws* against *papists*. 6. They considered that the proper tendency of it was to introduce a lawless loyalty, establish the king's tyranny, unite the hearts of *protestants* to *papists*, who are called their *neighbours*. 7. They considered the effects already produced by it. *Papists* were encouraged, their numbers increased, the executive power was put into their hands, &c. 8. They considered the nature of this pretended liberty as most dishonourable to the cause of Christ: For, though nothing is more desirable than when true liberty is established by the government, yet nothing can be more vile than when the true religion is tolerated *under the notion of a CRIME*, and when the exercise of it is only allowed under such and such restrictions. 9. They considered the extent of it, as taking in not only the archbishops, bishops, but all *quakers* and *papists*, and so opening a door to idolatry, blasphemy and heresy. 10. They considered the terms as what they could not comply with, especially because they were forbid to speak any thing contrary to the well and peace of *HIS* reign, or which may any way tend to alienate the hearts of the people from him and his government, which they looked upon as a prohibition to preach against *popery* or *prelacy*. 11. They considered that the acceptance of it was a scandal, and could not but offend the generation of the righteous. 12. They considered the *addresses* of thanks, made on this occasion, as a train of fulsom and blasphemous flatteries, to the dishonour of God, the reproach of his cause, the betraying of the church, the detriment

detriment of the nation, and the exposing themselves to contempt. As to the address formerly mentioned, they say, among other things, that there never was an address of this strain from *presbyterian* hands, seeing the contents of this address were so contrary to their known principles. Thus, say they, 'It is contrary to *presbyterian* principles to congratulate an *antichristian* usurper, for undermining religion and overturning laws and liberties. It is contrary to *presbyterian* principles to justify the abrogation of the *national covenants* in giving thanks for a liberty whereby all the laws are called and disabled therein confirmed. It is contrary to *presbyterian* principles to thank the king for opening a door to bring in *popery*, which they are engaged to extirpate by the *SOLENN LEAGUE and COVENANT, &c. &c.*' The reader may see all these things enlarged at considerable length in the treatise quoted on the margin. I shall make no remarks, but only acquaint him, That Mr. *Renwick* and his adherents were not the only persons who were against king *JAMES's* toleration; for though many of the *protestant dissenters* in *England* were pretty forward to congratulate the king for the *English declaration*, yet Mr. *Coke* says, That it was so drawn in the sight of every bird, that (of his knowledge) many of the sober thinking men did both dread and detest it. And Dr. *Calamy* tells us, that there was not many that could be charged, [*viz.* with addressing] and that, among the rest, Mr. *Baxter* had no concern in addressing, but set himself at *Rutland-house* in *Charter-house-yard*, where he exercised his ministry in conjunction with Mr. *Sylvester*, to make a peaceable improvement of the liberty afforded, so as to do all the good he could. The like did his brethren in other places. But to proceed to other things.

1687.

Mr. Baxter, &c., not concerned in addressing.

On the 25th of July, *John Anderson* younger of *Westertoun* was indicted before the *justiciary* for speaking in favour of *defensive arms*, and, being found guilty by the jury, was condemned to die, only the time and place were left to the king. Though it does not appear that the sentence was executed, yet nothing could be a clearer evidence of cruelty than a sentence like this.

J. Anderson condemned.

On the 5th of October the council published a proclamation against *field-conventicles*; * declaring, that not only

* Proclamation against field-conventicles.

1687. ' only all such persons, whether preachers or hearers, that shall presume to be at any conventicle in the open fields, but also all dissenting ministers, who shall take upon them to preach in houses, without observing such directions as are prescribed by our said late proclamation—shall be prosecuted with the utmost rigour and severity of the laws, &c.' This proclamation was occasioned by the complaints which the archbishop of *St. Andrews* made of great meetings of people without doors in his diocese, and by the bishop of *Glasgow's* representing Mr. *Renwick's* frequent field-conventicles in the west-country.

Search. On the 14th, while the king's birth-day was observed at *Glasgow* with great demonstrations of joy, a narrow search was made in the town, and several were taken and brought to no small trouble.

Proclamation for apprehending Mr. Renwick. Mr. *Renwick* still went on preaching, notwithstanding the hazard he ran from the persecutors on the one hand, and the reproaches wherewith he was loaded by many, even of *presbyterians*, on the other; but these I shall entirely pass over, since the reader may have recourse to the history of his life written by Mr. *Shields*, who tells us, that, in less than five months after the toleration, there were fifteen most desperate searches, particularly for him, both of foot and horse; and that all encouragement might be given to any who should apprehend him, a proclamation was issued, dated *October* the 18th, 'authorising all officers, civil and military, to apprehend and secure, in firmance, his person, with some others; and, for encouragement, enclosing the sum of a hundred pounds sterling for taking him or them dead or alive.'

J. Summers. Some time this month of *October*, *John* and *Robert Summers*, two brothers, together with *William Speir*, all in the parish of *Cambuslang*, were taken out of their beds and imprisoned at *Glasgow*, on suspicion of being at some field-conventicle; and, after ten days confinement there, they suffered a month's imprisonment at *Edinburgh*, and were brought to great charges, though nothing could be proved against them.

Fagel's letter. On the 4th of *November* pensionary *Fagel* wrote from the *Hague* to Mr. *Stuart*, in answer to several letters which that gentlemen had wrote to him, in order to know the sentiments of the prince and princess of *Orange* concerning the taking away the penal laws, in which

‘ in which he told him, ‘ That it was the opinion of 1687.
 ‘ the prince and princess that no christian ought to be
 ‘ persecuted for his conscience, or be ill used because
 ‘ he differs from the *establisbed* religion, and therefore
 ‘ they could consent that the *papists* in *England*, *Scot-*
 ‘ *land* and *Ireland*, should have as much liberty as is al-
 ‘ lowed them in *Holland*. And as to *protestant dissenters*,
 ‘ they heartily approved of their having an entire liber-
 ‘ ty for the full exercise of their religion, without any
 ‘ trouble or hindrance; and that if his majesty desir-
 ‘ ed their concurrence in repealing the penal laws,
 ‘ their highnesses were ready to give it, provided that
 ‘ those laws still remained in force, by which the *Ro-*
 ‘ *man Catholics* were excluded out of both houses of
 ‘ parliament, and out of all publick employments, ec-
 ‘ clesiastical, civil and military, and likewise those o-
 ‘ ther laws which confirm the *protestant* religion, and se-
 ‘ cure it against all the attempts of the *Roman catholicks*;
 ‘ but that they could not consent to the repeal of the
 ‘ *test*, and the other laws that tended to the security
 ‘ of the *protestant* religion, &c.’ And thus king JAMES
 and his ministers were exceedingly disappointed by this
 full declaration; for, had they only got the opinion of
 the prince and princess according to their mind, they
 doubtless would have made a great handle of it.

On the 7th of November James Boyle was condemned J. Boyle
 to be executed at the Grass-market, on the 7th of De-
 cember, for having been at Bothwell, and for hearing
 Mr. Renwick; but it does not appear that the sentence
 was executed.

There is nothing more material that occurs during
 this year, only, in the beginning of it, the soldiers con-
 tinued their ravages, till some regiments were called up
 to England; and, among others that suffered by them,
 the family of Mayfield was greatly oppressed.

And, as an evidence that the persecuting spirit still
 continued, Alexander Keir, sometimes bailie of Stran-
 rawer, was imprisoned sometime this year for alledged
 irregular baptisms, as were William MacTyre and Na-
 thaniel Johnston for being present. But I now go on to

CHAP. XV.

Of the proceedings of the justiciary; the execution of Mr. James Renwick; the acts and proclamations of council, and other remarkable things to the ever memorable REVOLUTION, with some account of the proceedings of the convention of estates.

1688.

Popish
schools at
Holy-
rood-
house.

IT is now with pleasure I am come to the year 1688, which will ever be famous in the annals of *Great-Britain*, on account of the glorious *REVOLUTION*, brought about by divine providence, by which these nations were rescued, not only from oppressive tyranny, but also from a destructive storm of *popery*, devastation and blood, that was just ready to break in upon them; and *Scotland*, in particular, was freed from the bloody hands of *prelatists* and their abettors.

The *Romish* priests at this time bestirred themselves to propagate their faith, filled the country with their catechisms and manuals of devotion. *Popish* schools were erected up and down *England*, and, in a particular manner, at the *Abbey of Holy-rood-house*, which was not only contrary to law, but an open insult on the reformation. The better to gain their ends, the scholars were to be taught *gratis*; and it was pretended, that no regard was to be had to differences in religion, and no less title was given to this *popish* seminary than that of the royal college.

Presbyte-
rian mi-
nisters
brought to
trouble.

Notwithstanding the *toleration* last year, all methods were taken to hinder many from reaping the benefit of it. When people hired barns or other houses for places of worship, they were, upon some pretence or another, greatly vexed and harrassed; and they who would not go to church were brought to no small trouble, and quarrels were continually picked with *presbyterians*; so that, had it not been for the *revolution*, even this *toleration* had been rendered of no service. Mr. *Alexander Auchmoutie* and Mr. *Alexander Orrock*, were discharged from preaching any more at *Dundee*. The latter had once prayed, that the Lord would purge the king from heart-idols; which words were misrepresented, as if Mr. *Orrock* had said the king was an idolater. In a word, all occasions were sought against *presbyterians*; but,

The

The grand design of the court was to establish *papery* 1688; on the ruins of the *protestant* interest; but here was the great bar in the way, the apparent heirs of the crown *Thank-* were *protestants*, and all attempts to induce them to giving change their religion, or even to approve the taking off *for the* the *penal laws*, had been in vain; and therefore a pro- *queen's pregnancy.* clamation was published on the 2d of *January* 1688. to notify the queen's being with child, and to order public thanksgiving to God, on the 15th, in the cities of *London* and *Westminster*, and on the 29th in all other places in *England*.

In the form of prayer appointed for the occasion were *Form of* these expressions. 'Blessed be that good providence, *prayer.* which has vouchsafed us fresh hopes of royal issue by *Calamy.* our gracious queen *Mary*. Strengthen her, we beseech thee, and perfect what thou hast begun; command thy holy angels to watch over her continually, and defend her from all dangers and evil accidents, that what she has conceived may be happily brought forth, to the joy of our sovereign lord the king, the farther establishment of his crown, the happiness and welfare of the whole kingdom, and the glory of thy great name.'

The privy council of *Scotland* appointed the 29th of *Thank-* *January* to be observed as a thanksgiving for the dioceses *giving in* of *Edinburgh*, and the 10th of *February* for the rest of *Scotland.* the kingdom. There were, however, very few of the *tolerated presbyterians* that paid any regard to this; and indeed there was no particular mention of them in the act enjoining this thanksgiving.

This, says Mr. *Neal*, struck all the *protestant* part of the nation with consternation, except a few *rauling Tories*, whose religion was at the service of the king whenever he should please to call for it; and though the *jesuits* looked upon the conception as miraculous, and as the effect of a vow the queen had made to the lady of *Loretto*, and prophesied that it would certainly be a prince, yet the *protestants* sighed in secret, and suspected a fraud; the grounds of which are related at large by the historians of these times.

On the 17th of *January* Mr. *James Renwick*, with the Mr. consent of others concurring, delivered into the hands *Ren-* of Mr. *Hugh Kennedy*, a reverend and learned minister, *wick's* whom he supposed to be the moderator of the meeting *testimony.* at *Edinburgh*, a testimony which he had drawn up against

1688. the toleration, and for the covenants, and the expediency of preaching the gospel in the fields.

The strength of what is therein said against that toleration being exhausted in what is borrowed from Mr. *Shields*, a few pages before this, I shall not here resume what they say upon that head, but shortly deduce the substance of the other two.

‘ In the next place, considering (say they) how our covenants are slighted; the obligations of them forgotten, and they like to be buried in oblivion, we judge we are necessarily called to speak a word of our covenants;—desiring to bless the Lord, who put it in the hearts of his people,——to enter into holy covenants,——and we do testify our cordial approbation of and real adherence unto these memorable engagements;——and we are also no less convinced in our consciences, that the obligation of our covenants is perpetual, and binding upon posterity;——these engagements are national promises, laying in pledge the publick faith. Certainly that of the Jewish nobles, not to exact usury of their brethren, would have brought their posterity under the curse if they should have done it, *Neb. v. 12, 13*. They are national vows, whereby they devoted themselves and their posterity to be the Lord’s people;——the *Rechabites* were bound to observe the vows of their forefather *Jonadab*. They are national oaths, and these do oblige posterity. *Joseph* took an oath of the children of *Israel* to carry up his bones to *Canaan*, *Gen. l. 25*. which the posterity——found themselves straitly sworn to observe, *Exod. xxx. 19*.——They are national covenants, wherein king, parliament and people do covenant with each other to perform their several and respective duties as to religion and liberty; these oblige posterity, as *Israel’s* covenant with the *Gibeonites*, *Josh. ix. 15, 19*. for the breach whereof, many ages after, the posterity was plagued, *2 Sam. xxi. 1*. Several other things are advanced to the same purpose; and then they go on, saying, ‘ We cannot but profess the sorrow of our hearts, and testify the abhorrence of our souls against all the breaches, injuries or affronts, that have been, or are offered, or done to our covenants, national and solemn league, which now (alas) are like to be dispised and buried in forgetfulness.——Particularly, we testify against the sinful, shameful and scandalous de-

‘ sections

sections of many ministers in this point, by their laying by these sacred covenants, forbearing to preach plainly the obligation of them, to discover particularly the breaches of them, and to mention them in the engagements which they require of parents when they present their children to baptism. —

In the last place, because *field-meetings* for gospel ordinances — are now, by wicked and sanguinary laws, — interdicted and discharged under pain of death, therefore we must testify our abhorrence of this cruelty, when others are silent, and signify also our reasons of endeavouring to maintain these interdicted meetings — 1. It is necessary, at all times, that christians should meet together for gospel ordinances, whether the magistrate will or not, — if they cannot get the gospel in houses, they must have it wherever they can. — 2. These meetings must be as publick as may be with conveniency and prudence, especially — when wickedness is encouraged, and a witness for truth suppressed; — for then the call of God is — for publick and solemn humiliation, which cannot be done in private; the nature and end of meeting for gospel ordinances is for a publick testimony for Christ, against all sin, and every dishonour done to the Son of God. — The nature and business of the gospel ministry is such, that it obliges them that exercise it to endeavour all publickness, without which they cannot discharge the extent of their instructions. — 3. Keeping of field-meetings now, is not only most convenient for testifying, but a very significant testimony, in itself, against the *papish toleration*, — against that wicked law that discharges them as criminal: — It is a testimony for the headship, honour and princely prerogative of Jesus — since, in these meetings, there is a particular declaration of our holding our ministry, and the exercise thereof, from Christ alone, without any dependence on, subordination to, or licence from, his usurping enemies. — It is a testimony for our covenants, — the owning whereof is declared criminal by the same law that discharges these meetings. — 4. To give over field-meetings altogether, at this time, would be very stumbling to friends, — and to enemies prove very hardning and encouraging in their wicked design of banishing all meetings out of the land. — They conclude with

1688. the epilogue of the ministers of *Lancaster*, used by them in their testimony against the toleration.

Thus the reader may judge for himself, whether Mr. *Renwick* and his followers, or those who accepted the foresaid toleration, acted most consistent with their principles.

Mr.
David
Williamson.

I shall only add, that this worthy minister was in a little time called to seal his testimony with his blood, of which I shall give an account, when I have observed, that, on the 3d of *February*, Mr. *David Williamson*, who had a numerous congregation in the *Westkirk* parish, was, without being ever told the cause, apprehended, and kept a fortnight in prison at *Edinburgh*, and in *July* brought before the council, at the malicious accusation of one *Musbet*, for not praying for the pretended prince of *Wales*; but nothing could be made appear. Sir *Patrick Nisbet* of *Dean*, who countenanced Mr. *Williamson's* ministry, was fined in 300 *L. sterling*, for words *Musbet* declared he had spoke disrespectfully of the government.

Mr.
Renwick
apprehended.

The order of time leads me now to relate the last part of the sufferings of Mr. *RENWICK*, who still continued preaching and catechising. At last, after he delivered the above testimony, he went to *Fife*, where he continued preaching till the last of *January*, when he returned late at night to *Edinburgh*, and lodged at a friend's house on the *Castle-hill*, who dealt in *English* goods. One *Thomas Justice*, a custom-house officer, getting notice of a stranger's being there, came next morning, with some other officers, on pretence of searching for prohibited goods. Mr. *Renwick*, upon hearing the noise, came out of his room. *Justice*, standing at the door, said, My life for it this is Mr. *Renwick*. Upon this Mr. *Renwick* went to another door, and, finding it guarded, discharged a pistol, by which he got out, and, had it not been for a blow he received in the breast, he would have made his escape; but, as he was running, he fell several times, and at last was taken and carried directly to the court of guard; from thence before a committee of the council, who ordered him to be laid in irons. Then he had an opportunity of spreading his case before God, and of praying for grace to enable him to bear what he might be called to suffer, and that his enemies might be restrained from torturing his body.

examined
at the
viscount
Tarbet's.

Before he received his indictment he was taken to the viscount of *Tarbet's* chamber, and there examined concerning

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concerning his owning the authority of king JAMES 1688. VII. the *cess*, and carrying arms at field-meetings, and delivered himself with freedom and boldness to the astonishment of all present. He was the first that was examined concerning the *cess*. A pocket-book was found about him, in which were the notes of two sermons he had preached on these points, which he owned. There were also some capital letters in the same book, such as, AS. MS. JW. AW, PR. PA. MM. at G. where a hat was left. The committee was very urgent to know these names; and Mr. Renwick, partly to avoid torture, and partly because he could not make them more obnoxious than they were, ingenuously declared that they were the names of Messrs. Alexander Shields, Michael Shields, James Wilson, Archibald Wilson, Peter Rayning, Peter Aird, who were all out of their reach. He made some demur as to the last, till he was assured that she should come to no trouble, and then he told that it was one Mrs. Miller at Glasgow. This openness greatly softened the rage of his enemies. Being asked what persuasion he was of? He answered, of the protestant presbyterian persuasion, adhering to the old presbyterian principles, which were once generally professed by the church and nation from 1640. to 1660.

On the 3d of February he received his indictment, in which it was said, 'That, having shaken off the fear of God, and regard to his majesty's laws and authority, and having entred into the society of rebels of most damnable and pernicious principles and disloyal practices, he had taken upon him to be a preacher to these traitors, and had become so desperate a villain, as openly to preach in the fields, claiming against the king's authority, asserting that he was an usurper, and that it was unlawful to pay *cess*, but lawful for subjects to rise in arms and make war against him and those commissioned by him; for which crimes he had been denounced and intercommunicated, and a reward of 100 L. sterling offered to any that should apprehend him; but, notwithstanding all this, he still persisted in his obstinacy, keeping conventicles in the fields, and requiring his hearers to come armed to these rendezvous of rebellion.—— And, being apprehended within the city of Edinburgh, he did desperately fire upon the officers that came to take

1688. *W* take him; and, being brought before the lord chancellor, did openly deny and decline the king's authority, asserting him to be an usurper, and owning that he had preached these things, and had traiterously declared at the viscount of Tarbet's, that he could not in conscience acknowledge the king to be his lawful sovereign, and that the lineal succession did not give a right to govern, and that it was unlawful to pay *cess*, because it was imposed for maintaining of forces to suppress the gospel; and that all who paid the *cess* were involved in that guilt, and adhered to his preaching-book, declaring the same to be his hand-writ. To all which he was to answer on the 8th of February. To the indictment was added a list of 45, out of which 15 were to be chosen to be the jury, with a list of the witnesses to be brought against him, for which I must refer the reader to the history of his life.

Inter-
view
with his
mother,
&c.

After receiving his indictment, his pious mother, Elizabeth Carsan, was permitted now and then to see him. He frequently declared his grief on account of his leaving his flock; but on Sabbath, February 5. he declared that, if it was his choice, he could not without terror think of continuing much longer in his conflicts with a body of sin and death; and yet he durst not vary in the least from his testimony. In a letter February 6. he desired that the persons whose names he had decyphered might be acquainted with it, and concludes, *I desire none may be troubled on my behalf, but rather rejoice with him, who, with hope and joy, is waiting for his marriage and coronation hour.* Another time his mother asked him how he was. He answered he was well; but that, since his last examination, he he could hardly pray. At which, when she seemed to be surprised, he added, *I can hardly pray, being so much taken up with praising, and ravished with the joy of the Lord.* When she farther expressed her fears, saying, How shall I look to that head, and these hands set up among the rest upon the ports of the city? I have so much of self, that I shall never be able to endure it. He smiled, telling her, that she should not see that; for, said he, *I have offered my life to the Lord, and have fought that he may bind them up, that they may do no more; and I am persuaded that they shall not be permitted to torture my body, nor touch one hair of my head further.*

ther. He was always afraid of torture; but now his 1688.
fears were all over. Some other friends were allowed
to visit him, whom he exhorted to make sure their
peace with God, and to study steadfastness in his ways:
And when they were regretting their loss of him, he
said, *That they had more reason to bless the Lord, that he
should now be taken away from these reproaches which had
broken his heart, which could not otherways be wiped off,
even though he should get his life without yielding in the
least.* He told them also, that, when he was first taken
and brought before the council, he intended to wave
them, and not be positive in his answers; but that he
was so filled with darkness of spirit, that he durst not
continue in these resolutions, but found himself obliged
to be plain and free, as he had always been in his ser-
mons, in which he had found great peace.

On Wednesday the 8th of February he appeared be- before the
fore the justiciary, and, when his indictment was read, justici-
the justice-clerk asked him, if he adhered to his former ary.
confession, and acknowledged all that was in his libel.
He answered, 'All, except where it is said, *I have cast
'off all fear of God; that I deny; for it is because I
'fear to offend God, and violate his law, that I am
'here standing ready to be condemned.'* Then he
was interrogated if he owned authority, and king
JAMES VII. to be his lawful sovereign. He replied,
'I own all authority that hath its prescriptions and
'limitations from the word of God; but cannot own
'*this usurper* as lawful king, seeing, both by the word
'of God, such an one is incapable to bear rule; and
'likeways by the ancient laws of the kingdom, which
'admit none to the crown of SCOTLAND until he
'swear to defend the *protestant* religion, which a man
'of his profession could not do.' They urged, Could
he deny him to be king? Was he not the late king's
brother? Had the late king any children lawfully be-
gotten? Was he not declared to be successor by act of
parliament? He answered, 'He was, no question, king
'*de facto*, but not *de jure*; that he was brother to the
'other he knew nothing to the contrary. What chil-
'dren the other had he did not know; but from the
'word of God, that ought to be the rule of all laws,
'or from the ancient laws of the kingdom, it could
'not be shewn that he had, or ever could have, any
'right.' Then they asked, if he owned, and had taught

it

1686. it to be unlawful to pay *cesses* and taxes to his majesty. He replied, 'For the present *cess*, exacted for the present usurper, I hold it unlawful to pay it, both in regard it is oppressive to the subjects, for the maintenance of tyranny, and because it is imposed for suppressing the gospel. Would it have been thought lawful for the Jews, in the days of *Nebuchadnezzar*, to have brought every one a coal to augment the flame of the furnace to devour the three children, if so they had been required by that tyrant? And how can it be lawful, either to oppress poor people for not bowing to the idols the king sets up, or for their brethren to contribute to what may help forward their oppression?' Next, they inquired if he owned that he had taught his hearers to come armed to their meetings, and, in case of opposition, to resist. He answered, 'It were inconsistent with reason and religion both to do otherways. Your selves would do it in the like circumstances. I own that I taught them to carry arms to defend themselves, and to resist your unjust violence. Farther, they asked if he owned the note-book with the two sermons in it, and that he had preached them? He said, 'If you have added nothing, I will own it, and am ready to seal all the truths contained therein with my blood.' All his confessions being read over, he was required to subscribe them. He said he could not do it, since he looked upon that as a partial owning of their authority. After several times refusing, he said, with protestation, 'I will subscribe the paper, as it is my testimony; but not in obedience to you.'

condem-
ned.

Next, those of the jury were called in by fives and sworn, against whom he made no objection, but protested, 'That none might sit on his assize that professed protestant or presbyterian principles, or an adherence to the covenanted work of reformation.' He was brought in guilty, and sentence was passed, that he should be executed in the *Grass-Market* on the Friday following. Lord *Linlithgow*, justice-general, asked if he desired longer time. He answered, that it was all one to him; if it was protracted, it was welcome; if it was shortened, it was welcome; his master's time was the best. So he was returned to prison.

Lenity of
the justiciary.

Though none who suffered in the former part of this dismal period spoke with greater freedom and openness than

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than Mr. *Renwick*, yet none were treated with so much moderation. The lenity of the *justiciary* was much admired beyond their ordinary; for they admitted him to say what he pleased, without threatnings or interruptions, even though he gave none of them the title of lord but *Linlithgow*, who was a nobleman by birth. 1688.

It is farther remarkable, that, without his knowledge, Mr. *Renwick* and against his will, nay, after his open refusing to the advocate to desire it, he was reprieved till the 17th day, which gave occasion to several to renew their reproaches. *reprieved,*

Though Mr. *Renwick's* friends (which was not usual after sentence) were denied access, yet both *papists*, *episcopalian*s, and others, were permitted to see him. Bishop *Paterfson* often visited him; nay, he sought another reprieve for him, which would easily have been granted had he only petitioned for it. The bishop asked him, 'Think you none can be saved but those of your principles? Will you kill yourself with your own hands, seeing you may have your life upon so easy terms?' He answered, 'I never said nor thought that none could be saved except they were of those principles; but these are truths which I suffer for, and which I have not rashly concluded on, but deliberately, and of a long time have been confirmed that they are sufficient points to suffer for.' The bishop took his leave, declaring his sorrow for his being so tenacious, and commended him for a youth of parts. The night before he suffered he signified his readiness to serve him to the utmost of his power. Mr. *Renwick* thanked him for his civility; but knew nothing he could do, or that he could desire. Mr. *MacNaught*, one of the *curates*, made him a visit in his canonical habit, which Mr. *Renwick* did not like. The *curate*, among other things, asked his opinion concerning the toleration, and those that accepted it. Mr. *Renwick* declared that he was against the toleration; but as for the men that embraced it, he judged them to be godly men. Sir *D. Dalrymple* the advocate, several *popish* priests, and some of the gentlemen of the guard, together with some of the tolerated ministers, were permitted to converse with him. The priests, at leaving him, were overheard saying that he was a most obdinate heretick. All the time he was in prison after his sentence, he was kept so close, that he could get nothing wrote. His begun

1688. begun testimony, which he was writing, was taken from him, and pen, ink and paper refused. However, he got a short paper wrote the night before he suffered, which is in the *Cloud of witnesses*.

On Tuesday the 14th he was brought before the council on account of the *informatory vindication*, but what passed there cannot be learned, farther than their signifying how much kindness they had shewn him, in that they had reprieved him without his supplication, a thing never done before. He returned with extraordinary cheerfulness, rejoicing that he was counted worthy to suffer shame for the name of his master. He was much in observing the goodness of God in restraining the persecutors from putting him to torture. Being asked what he thought God would do with the remnant left behind him; he answered, 'It shall be well with them; for God will not forsake nor cast off his inheritance.'

his interview
with the
jailor,

On the day of his execution, the chief jailor begged, that, at the place of his execution, he would not mention the cause of his death, and would forbear all reflections. Mr. *Remwick* told him, that what God would give him to speak, that he would speak, and nothing else, and nothing less. The jailor told him, he might still have his life if he would but sign that petition which he offered him. He answered, 'That he never read in scripture, or history, where martyrs petitioned for their lives when called to suffer for truth, though they might require them not to take their life, and remonstrate against the wickedness of murdering them; but, in the present circumstances, he judged it would be found a receding from the truth, and declining a testimony for Christ.'

with his
mother
and sisters.

At last his mother and sisters had liberty to see him. He took a refreshment with them, and, in returning thanks, said, 'O Lord, now thou hast brought me within two hours of eternity, and this is no matter of terror to me, more than if I were to ly down in a bed of roses; nay, through grace, to thy praise I may say, I had never the fear of death since I came to this prison, but from the place I was taken I could have gone very composedly to the scaffold. O! how can I contain the thoughts of this, to be within two hours of the crown of glory.' He exhorted them much to prepare for death, expressing his own joyful

assur-

assurance of endless glory; and, perceiving his mother weep, he exhorted her to remember, that they who loved any thing better than Christ were not worthy of him. If ye love me, rejoice that I am going to my father, to obtain the enjoyment of what eye hath not seen, ear hath not heard, nor hath it entered into the heart of man to conceive. Then he went to prayer, wherein he run but much into praises, and pleaded, in behalf of the suffering remnant, that the Lord would raise up witnesses that might transmit the testimony to succeeding generations, and that the Lord would not leave Scotland; asserting, with great confidence of hope, that he was strengthened in the faith of it, that the Lord would be gracious to Scotland.

When the drum beat he fell into a transport, saying, Yonder the welcome warning to my marriage, the bridegroom is coming, I am ready, I am ready. Then, after having in a moving way parted with his mother and sisters, he was taken, as usual, to the low council-house, where they desired he would speak what he had to say there. He told them, I have nothing to say to you, but that which is written in *Jeremiah xxvii. 14, 15. As for me, behold I am in your hand, &c.* He was told that the drums would beat at the scaffold all the time, and therefore they advised him to pray there, which he refused, and declared that he would not be limited in what he would say; that he had premeditated nothing, but would speak what was given him. They offered him any minister to be with him; but he chose to be attended by one friend who was then in company.

His behaviour in the low council-house,

He went to the place of execution, with great cheerfulness, in the midst of an innumerable multitude, which was the greater, that executions had not been so frequent of late. There was a curate near the scaffold who tempted him, saying, *Mr. Renwick, Own our KING, and we shall pray for you.* He replied that he wanted none of his prayers, since he was come to bear his testimony against him, and such as he was. The curate said, *Own our KING, and pray for him, whatever you say against us.* His answer was, I will discourse no more with you. I am, within a little, to appear before him who is *King of Kings, and Lord of Lords*, who will shortly pour shame, contempt and confusion on all the kings of the earth who have not ruled for

and on the scaffold.

1688. him. He sang *Psal. ciii.* read *Rev. xix.* and then prayed, recommending his soul to God through the Redeemer, and his cause to be vindicated in his own time. He declared that this was the most joyful day he ever saw, a day he had greatly longed for, and blessed the Lord who had honoured him with the crown of martyrdom, an honour *which the angels are not capable of.* He complained of his being disturbed in worshipping God; but, said he, 'I shall be above those clouds; then shall I enjoy thee and glorify thee without interruption or intermission for ever.' Prayer being ended, he spoke to the people, and what was remembered is as follows:

His last
Speech.

SPECTATORS, (or, if there be any of you auditors) I must tell you, I am come here this day to lay down my life for adhering to the truths of Christ, for which I am neither afraid nor ashamed to suffer; nay, I bless the Lord that ever counted me worthy, or enabled me to suffer any thing from him; and I desire to praise his grace that he hath not only kept me free from the gross pollutions of the time, but also from the many ordinary pollutions of children; and for such as I have been stained with, he hath washed and cleansed me from them in his own blood. I am this day to lay down my life for these three things. 1. For disowning the *usurpation* and tyranny of JAMES duke of York. 2. For preaching that it was unlawful to pay the *cess* expressly exacted for bearing down the gospel. 3. For teaching that it was lawful for people to carry arms for defending themselves in their meetings for the persecuted gospel-ordinances. I think a testimony for these is worth many lives; and if I had ten thousand I would think it little enough to lay them all down for the same. Dear friends, spectators, if any of you be auditors, I must tell you I die a *presbyterian* protestant. I own the word of God as the rule of faith and manners. I own the *Confession of faith*, larger and shorter *catechisms*, sum of saving knowledge, directory for publick and family worship, COVENANTS national and solemn league, acts of general assemblies, and all the faithful contentings that have been for the covenanted reformation. I leave my testimony approving the preaching in the fields, and the defending the same by arms. I ad-

Chap. 1
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‘join my testimony to all those truths that have been 1688.
 ‘sealed by bloodshed, either on scaffolds, fields, or
 ‘seas, for the cause of Christ. I leave my testimony
 ‘against *popery, prelacy, erastianism, &c.* against all pro-
 ‘fanity, and every thing contrary to sound doctrine
 ‘and the power of godliness; particularly against all
 ‘usurpations and encroachments made upon Christ’s
 ‘rights, *the prince of the kings of the earth*, who alone
 ‘must bear the glory of ruling his own kingdom the
 ‘church; and, in particular, against this *absolute power*
 ‘usurped by this *usurper*, that belongs to no mortal,
 ‘but is the incommunicable prerogative of JEHOVAH,
 ‘and against his *toleration* flowing from this absolute
 ‘power.’

Here he was ordered to have done. He answered,
 ‘I have near done; and then said, ‘Ye that are the peo-
 ‘ple of God, do not weary to maintain the testimony
 ‘of the day in your stations and places; and, what-
 ‘ever ye do, make sure an interest in Christ; for there
 ‘is a storm coming that shall try your foundation.
 ‘Scotland must be rid of Scotland before the delivery
 ‘come. And you that are strangers to God break off
 ‘your sins by repentance, else I will be a sad witness
 ‘against you in the day of the Lord.’

Here they stopt him, and made him go up the ladder, *His exe-*
 where he prayed; and this expression was distinctly *cution.*
 heard, ‘Lord, I die in the faith that thou wilt not
 ‘leave Scotland, but that thou wilt make the blood of
 ‘thy witnesses to be the seed of thy church, and return
 ‘again and be glorious in our land. And now, Lord,
 ‘I am ready, the bride, the lamb’s wife, hath made her-
 ‘self ready.’ When the napkin was tying round his face,
 he said to his attending friend, ‘Farewel, be diligent
 ‘in duty, make your peace with God through Christ;
 ‘there is a great trial coming. As to the remnant
 ‘I leave, I have committed them to God. Tell them
 ‘from me not to weary, nor be discouraged in main-
 ‘taining the testimony. Let them not quit or forgo
 ‘one of these despised truths. Keep your ground, and
 ‘the Lord will provide you teachers and ministers.
 ‘And when he comes he will make these despised
 ‘truths glorious in the earth.’ Then he was turned
 over with these words in his mouth, *Lord, into thy*
hands I commit my spirit, for thou hast redeemed me, Lord
God of truth!

Thus

1688. Thus died Mr. *James Renwick*, the last that sealed the testimony for religion and liberty, and the covenanted work of reformation, against *popery*, *prelacy*, *erastianism* and *tyranny* in this persecuting period, a young man and minister, being just turned his 26th year, but a ripe christian and martyr of Christ.

Mr. Al. Shields. After his death the reverend Mr. *Alexander Shields* succeeded and preached in the fields, and in April had a very numerous field-meeting upon *Distinkcorn-hill*, which occasioned many searches to be made by the soldiers for those who were present. But to return.

Mr. Hardy prosecuted. On the 13th of February the reverend Mr. *John Hardy*, minister at *Gordon*, was tried before the justiciary for high treason; but the process was dropt. The great crime was his preaching against *popery*, and warning his hearers of the danger they and the whole nation were in. This was constructed to be high treason.

Sir G. MacKenzie restored. On the 17th Sir *George MacKenzie* was restored to his place of being lord advocate, and Sir *John Dalrymple* was made justice-clerk and a lord of session. In March some country people were brought in prisoners, and examined by Sir *George* about owning the king's authority; but though they owned it only with limitations, yet the new advocate was more easy with them than he had been with others in former years. But to proceed to things of a more publick concern.

Liberty of conscience for England, p. 182. On the 27th of April king JAMES issued out another declaration for liberty of conscience in England, which the reader may see in the *English* historians. This declaration, says Dr. *Welwood*, was of a much higher strain than the former, and in it the *Roman catholicks* were chiefly included, and indeed it was for their sake alone it was granted. However, the king, not being satisfied with having this published in the usual method, emitted an order of council, enjoining the bishops to cause it to be sent and distributed throughout their several and respective dioceses, to be read at the usual time of divine service in all churches and chapels. Though some of the bishops, says *Burnet*, carried their compliance to a shameful pitch, the generality of the clergy refused to obey so unjust a command, and seven of them, on account of a petition they presented to his majesty, praying that he would not insist upon their distributing and reading the said declaration,

Bishops sent to the tower.

declaration, were committed to the tower, where we must leave them for some time. 1688.

Mean while, that matters might correspond in Scotland with those in England, on the 15th of May a new indulgence was published there, called the 4th indulgence, in which he pleads several acts of parliament, especially the 2d act of his parliament there for acting by virtue of absolute power; so that he pretended to law in dispensing with the standing laws of the nations. Then he repeats his former proclamations, and signifies that he has dissolved all judicatories and magistrates in royal burghs, and declares that he will maintain all his former proclamations, and threatens those who would not comply with his measures.

But, notwithstanding all this pretended liberty of conscience, yet in many places all methods were taken to hinder presbyterian ministers from reaping the benefit of it, as appears not only from some instances already given, but also from the case of the reverend Mr. Thomas Cobham, who was born in Dundee, and came thither on the 23d of May to see his friends. He performed family worship at his cousin's, for which he was brought before one of the magistrates on pretence of his keeping a conventicle; but was presently bailed, else he must have gone to prison. Next day, the information being found false, his bail-bond was given up, and he gave in his name to the magistrates, and preached the sabbath following; but the Saturday after he was called, at ten at night, before some of the magistrates, and ordered to find bail, though they had nothing to lay to his charge; and, because his friend Mr. Smith took upon him to speak in his favour, and remonstrate against this illegal proceeding, he was sent along with him to prison. Though Mr. Smith was let out, yet Mr. Cobham was kept a prisoner till July, when he was sent to Edinburgh, where, after some farther confinement, he was released by the council, they finding nothing against him.

On the 10th of June, while the bishops were in the tower, and the princess Anne at the Bath, the queen was said to be delivered of a prince of Wales; but there were so many circumstances that rendered this birth suspicious, that the nation in general looked upon it as an imposture, and as the last effort of the papists to ruin the reformation in these lands. The illustrious prince

1688. prince of Orange, in his declaration for Scotland, speaks of this in the following terms: 'But, to crown all, there are great and violent presumptions inducing us to believe that those evil counsellors, in order to their carrying on of their ill designs, and to the gaining to themselves more time for the effecting of them, for the encouraging of their accomplices, and the discouraging of all good subjects, have published that the queen hath brought forth a son, though there have appeared, both during the queen's pretended bigness, and in the manner in which the birth was managed, so many just and visible grounds of suspicion, that not only we ourselves, but all the good subjects of those kingdoms, do vehemently suspect that the pretended prince of Wales was not born by the queen. And it is notoriously known to all the world, that many both doubted of the queen's bigness, and of the birth of the child, and yet there was not one thing done to satisfy them, or put an end to their doubts.'

A thanksgiving for the pretender's birth. On the 14th the council of Scotland, considering that it having pleased the Almighty God, by whom king's reign, to bless his sacred majesty, our august and glorious monarch, and in him us, his dutiful and happy subjects, with the birth of the most serene and high-born prince, the Prince and Stewart of Scotland, &c. by his royal consort our gracious queen Mary,—— made an act appointing the 21st of June for the diocese of Edinburgh, and the 18th for the rest of the kingdom, to be observed as days of solemn thanksgiving. The day was observed at Edinburgh with all solemnity.

Mr. Houston rescued. About the 20th of June they of the united societies, having been informed that Mr. David Houston, who had joined with Mr. Renwick, had been apprehended, a good number of them assembled in arms, attacked the soldiers who were carrying him to Edinburgh, and, after killing some, and wounding others, rescued the prisoner; and, if they had not, it is very probable he would have suffered as Mr. Renwick had done. The societies afterwards, having informations against him, turned him out from amongst them.

Proclamation. The news of this rescue coming to Edinburgh, the council issued a proclamation on the 22d, ordering the nobility, freeholders, heritors and indulged ministers, in the shires of Ayr, Lanerk, Renfrew and Nithsdale, to be

be assembled on the 29th instant, and those of *Wigton* on the 6th of *July*, in order to find out those concerned in the said rescue; but, after all the inquiry that could be made, few or none concerned were found out, though the country was brought to no small trouble on account of those meetings.

Some time in *June*, *John Reid* a trooper, once belonging to *Craigie's* troop, finding one *George Wood*, a youth of about 16 years of age, shot him on the place. When *Reid* was challenged for this, he said, he knew him to be a *Whig*, and these ought to be shot wherever they were found.

George Wood shot in the fields.

In *June* or *July* *Claverhouse* and colonel *Douglas* Search made a most violent search in *Edinburgh*. Every private soldier had power to examine, upon oath, all suspected persons, and whoever refused to renounce the covenants were forced to prison.

The followers of the late Mr. *Renwick* still kept up their societies. Accordingly, at a general meeting on the first of *August*, they collected near 240 *Lassells* in order to ransom several of their brethren who were sold for slaves to *Barbadoes*. Accordingly *James Douglas*, *Thomas Brown*, *John Buchanans*, *Alexander Bailly*, *George Paton*, *John White*, *Gilbert MacCulloch*, *R. Mitchel*, *John White*, *George White*, *Agnes Keir*, *James Baxter*, and another, were, in consequence of this, actually relieved. But it is proper to take a short view of what was transacting at this time in *England*.

General meeting.

The assurance of a *papish* successor filled the king with hopes of accomplishing his designs, and, in order to get a parliament to his mind, *closeting* was once more put in practice, promises and threatnings were made use of, some entire regiments were ordered from *Ireland*, and many vacancies in the *English* regiments were filled up with

The seven bishops brought to their trial. Rapin.

Irish and *papish* officers; and, during the publick rejoicings for the birth of the pretended prince of *Wales*, the archbishop of *Canterbury*, the bishops of *St. Asaph*, *Bath* and *Wells*, *Ely*, *Chichester*, *Peterborough*, and *Bristol*, were brought to their tryals at the king's bench bar on the 15th of *June*; but, upon a motion for a delay, the matter was put off till the 29th, and in the mean time they were set at liberty upon their recognizance. On the said 29th *Westminster-hall* was crouded with great numbers of lords, gentlemen, and others. The bishops were tryed, and the tryal lasted ten hours; then the ju-

ry

1688. ry withdrew, and, after sitting up all night, brought in their verdict, next morning, NOT GUILTY.

Acquit-
ted.

Acclama-
tions of
joy.

Hist. of
Stuarts.
P. 739.

Upon this the marquis of *Hallifax*, waving his hat over his head, cried, *Huzza!* The lords and gentlemen took the shout from him. It in an instant filled the whole hall with the loudest acclamations of joy, which were immediately taken by the crouds waiting in *Palace-yard* and in *Westminster*, from whence it was carried through the city of *London* and places adjacent, and, as fast as it could fly, over the whole kingdom. The soldiers encamped on *Hounslow-heath* gave such an universal shout, that it startled the king, then at an entertainment in the earl of *Feversham's* tent, whom he sent to know what was the matter. *Feversham* coming back, told the king, it was nothing but the soldiers shouting upon the news of the bishops being ACQUITTED. The king stamped with his foot, and said, Do you call that NOTHING? But so much the worse for them. A protestant roar like this could not be agreeable to his majesty.

Applica-
tion made
to the
prince of
Orange.

All true protestants, being now convinced that they were on the very brink of ruin, had no other expedient but to apply to the prince of *Orange*. Accordingly several great men, upon sundry pretences, both from *England* and *Scotland*, repaired to the *Hague* to confer with his highness; and in *July*, one flight brought over to *England* about 80. letters from persons of quality and credit, and carried back answers to the *Hague*. Many of the bishops and clergy of *England* began now to forget the principles of passive obedience and non-resistance. The prince readily embarked in the quarrel, and the *States* cheerfully agreed to give their assistance, for they were equally concerned in the affair with the *English* themselves, because the ruin of *Holland* would doubtless have soon followed the slavery of *Great Britain*.

Procla-
mation a-
gainst
prohibited
books.
Wod-
row.

While matters were thus concerting for rescuing the nation from popery and slavery, the managers in *Scotland* did what they could to oppose them. Accordingly, on the 15th of *August*, the council published a proclamation against the following books and pamphlets, viz. all translations of *Buchanan de jure regni*, *Lex Rex*, *Jus populi*, *Naphtali*, the *Cup of Cold Water*, the *Scotts Mist*, the *Apologetical Relation*, *Mene Tekel*, the *Hind let loose*, the treasonable proclamations issued out at *Sanquhar*, and those issued out by the late duke of *Monmouth* and the late earl of *Argyll*. All were ordered to bring in these

these books by a limited time, under severe penalties. At *Edinburgh* several went in the council's name through the booksellers shops, and not only seized these, but also whatever books were wrote against *popery*, alledging that the vending of these tended to alienate the people's minds from his majesty. Either the advocate, or some other of the councillors, went to the shop of a firm *whig*, and asked him if he had any prohibited books. The bookseller desired him to search; which having done, and found nothing, he asked him if he had any books against *popery*; he answered he had a great many. The councillor told him that was the KING's religion, and that subjects ought not to be alienated from him on that account, and desired to see them. Upon which the bookseller directed him to the place where his bibles lay; and he, taking up one after another, said, *These are BIBLES. They are so*, said the bookseller, *and from the one end to the other are all against POPERY.* This was reckoned such a high crime, that the bookseller in the afternoon was summoned before the council, and brought to some trouble.

The preparations making in *Holland* being by this time pretty much talked of, and the king receiving repeated advices of them, he judged it convenient to flatter the people with the expectation of a parliament. Accordingly, on the 24th of *August*, he declared in council his intention to call a parliament for the 27th of *November*; and the chancellor had orders to issue forth writs on the 5th of *September*. But that was not done, the king only designing to amuse the publick. In the mean time the marquis of *Albeville*, at the king's command, presented a memorial to the *States*, to demand what they meant by their warlike preparations at this time; to which they gave such an answer as made *James* begin to think of taking such measures as were necessary for his own defence.

The council in *Scotland*, being composed of men hearty in his service, on the 18th of *September* published a proclamation for rendezvousing the militia in several shires, setting up of beacons in several places, to give notice when any number of ships were seen on the coasts, and for ordering the heritors, diserehters and others, to be ready, with their best horses and arms, to attend the king's host when desired.

1688. Though the king had promised to issue out writs for a new parliament, yet he was not so good as his word; however, he still continued to amuse the people with the hopes of it. Accordingly, on the 21st of September, he emitted a proclamation, wherein 'he thought fit to declare, that it was his royal purpose to endeavour a legal establishment of an universal liberty of conscience for all his subjects, as was also his resolution inviolably to preserve the church of England, by such a confirmation of the several acts of uniformity, that they should never be altered any other ways than by repealing the several clauses which inflict penalties upon persons not promoted, or to be promoted, to any ecclesiastical benefices within the meaning of the said acts. — And that, for the farther securing not only the church of England, but the protestant religion in general, he was willing the Roman catholicks should remain incapable to be members of the house of commons.' —

Remarks. But this proclamation was too obscure and ambiguous to produce any great effect; for his repealing the penal laws, and at the same time preserving the acts of uniformity, implied a contradiction. Besides, the king only spoke of excluding papists from the house of commons, but not from the house LORDS.

King turns pale Hist. of Stuarts, p. 759. At last the king had unquestionable assurances that the preparations making in Holland were against him; upon which he turned pale, and for a while remained speechless; and, says a modern historian, may not one now imagine the injured ghosts of Russel, Sidney, Baily, Cornish, and the hecatombs in the west, and in Scotland, haunted his dreams amidst the extremity of his distress and despair, &c.

Applies to the bishops. In this fright he applied to the bishops then in town for advice. They desired time to consult what was proper to be done in such circumstances. Mean while, on the 28th, he issued a proclamation, setting forth the advices he received of the prince's intended invasion to conquer these kingdoms, and subdue them to a foreign power, which obliged him to recall his writs for electing members of parliament. A most unaccountable step! for, had he known his own interest he should rather have hastened the meeting of his parliament.

Published an indemnity. About this time he published his indemnity, out of which were excepted, Mr. Andrew Fletcher, colonel Rumsey,

for, Titus Oates, Dr. Gilbert Burnet, &c. This pardon, 1688. it is said, was drawn up by Jeffries; and, in the mean time, by several clauses, it excepted the whole nation; but none regarded it; for the thunders of *Whitehall* were no more minded now than those of the *Vatican*.

On the 3d of *October* the bishops advised the king ^{Advice of the bishops.} to put the management of the government into the hands of qualified persons, to annul the ecclesiastical commission, to set aside all faculties and licences for papists to keep schools, to desist from his dispensing power, to inhibit the four pretended vicars apostolical invading the ecclesiastical jurisdiction, to fill up the vacant bishopricks, to restore the charters, to call a free and regular parliament; and, above all, that his majesty would be pleased to permit his bishops to offer such motives and arguments, as they trusted might, by God's grace, be effectual to persuade his majesty to return to the COMMUNION of the church of England.

The same day the bishops gave the king this good ^{Proceedings in Scotland. Wodrow.} advice, the Scots council sent up an offer of their lives and fortunes, and asked advice how to behave on this occasion; for which they had the royal thanks, and were desired to imprison all suspected persons; and, since he had ordered the regular forces there to repair to England, he left it to them to raise such as they should think fit, and to augment the garisons, and to do all other things as they should judge convenient. The same day the council ordered all the heritors to get ready their best horses and men, and to assemble them at the time and in the places appointed in the proclamation; and on the 19th made an act concerning the deserters from the militia, which I shall not trouble the reader with.

About this time the reverend Mr. Charles Gordon was ^{Sufferings of Mr. Charles Gordon.} brought to no small danger for not owning the legitimacy of the pretended prince of Wales. This Mr. Gordon was then minister at *Campvere* in Zealand, and after the revolution minister first at *Dalmenie*, and after that at *Ashkirk*, a gentleman of unaffected piety and solid learning. He came to Scotland in August to see his friends in the north. He repaired to *Edinburgh*, in his way to *Campvere*, in September. In the beginning of *October*, when there was great noise about the prince of Orange's intended expedition, the council emitted a proclamation, discharging all subjects to leave the kingdom

1688. *dom without a licence from the council or one of their number.* Mr. Gordon therefore applied, by a friend, to the register for a *pass*. The register engaged to use his interest with lord *Perth* the chancellor, and, on the 12th of *October*, desired Mr. Gordon to attend in the *parliament-house*. When attending there the register came out, and told him that he had quite forgot his affair, but promised to mind it, when he met with the chancellor at three o'clock in the treasury. — Mean while Mr. Gordon went to the castle, and got the duke of Gordon to use his interest likewise. Both the duke and the register spoke to the chancellor. Mr. Gordon, all of a sudden, was called in, and examined before the lords of the treasury, and, among other things, he was interrogated as follows. *Chancellor.* Do you own the king's authority? *Gordon.* Yes, my lord. *Ch.* Have you preached since you came to the country? *G.* Yes. *Ch.* Do you pray for the prince of *Wales*? *G.* No. *Ch.* Why not for the prince of *Wales*? *G.* There is no particular order for praying for him, and I have not used to pray for all the particular branches of the royal family by *form*. *Ch.* It is no limiting the spirit to pray for all the branches of the royal family by *form*. *G.* My lord, I have not been used to pray by *forms*. *Ch.* Whom do you mean when you pray for the royal family? *G.* All the princes and princesses of the family. *Ch.* Do you not include and intend the prince of *Wales*? *G.* My lord, I do not exclude him. *Ch.* But do you not include him? Mr. Gordon was silent, and the chancellor proceeded, saying, There is the matter. Sir, I perceive I have not been mistaken nor misinformed concerning you, what for a man you are. *G.* I am sorry if your lordship apprehend ill concerning me. *Ch.* Do you not think that the king hath a son, or that the prince of *Wales* is heir to the crown? Mr. Gordon was silent. *Ch.* Why do you not answer? Do you doubt of such a thing? *G.* My lord, I do not meddle in these matters, nor am I a competent judge of them. After a few more questions Mr. Gordon was dismissed, and in an hour called in again, and required to sign the following paper. 'I Mr. Charles Gordon, minister of the gospel at *Campvere*, do own and acknowledge the king's son, prince of *Scotland and Wales*, as apparent heir of the crown, and promise to pray for him as such.' He refused to comply with this, saying he could not in conscience sign it.

it. *Ch.* What, do you pretend conscience in refusing to own the king's son as apparent heir? *G.* I cannot help my weakness; conscience cannot be constrained. *Ch.* Whether or not, failing the prince of Wales, would you acknowledge the prince of Orange as apparent heir of the crown? *G.* Yes, my lord. *Ch.* And why not the prince of Wales now? *Mr. Gordon* was silent. In short, they were very pressing upon him to give his reasons, but he still declined. He was then removed, and, in a little, sent up under a guard, and committed prisoner to the castle. However, it was not thought proper to keep him confined, and therefore, upon his begging to be set at liberty, and declaring, that if in any thing he was mistaken, or had offended his lordship, he was sorry for it, for he desired to give no offence to Jew, nor Gentile, nor to the church of God, he was released, and returned to his charge the best way he could. I shall only observe here, that had *Mr. Gordon* been before the managers some time ago, he had not got so easily off; but now their power was near a period.

By this time every body almost beginning to be taken with the proposals made by his highness the prince of Orange, published in his excellent declaration for England, the king found it his interest to retract some of his arbitrary and despotick proceedings. Accordingly the bishop of London's suspension was taken off, the ecclesiastical commission was dissolved, the city-charter and the fellows of *Magdalen-college* were restored, and other illegal practices renounced; but, upon the news of the prince of Orange's fleet being dispersed by a storm, his majesty put a stop to all farther redress of grievances.

The king alters his conduct.

But the prince, having repaired his damages, put to sea a second time, on the first of November, and, after a remarkable passage, in which the wind almost miraculously favoured him, he landed at *Torbay* on the 5th, with about 14,000 men. What passed in England on this remarkable occasion is particularly recorded by the *English* historians, and therefore I shall not insert it here.

The prince lands at Torbay.

While these things were a-doing, the *Scott* bishops, *Wod-* on the 3d of November, sent a letter of a peculiar style to the king, from whence the reader may see the difference between the *English* and *Scott* bishops; the substance of it is as follows:

May

1688.

The bi-
shops let-
ter to the
king.

May it please your most sacred majesty,
WE prostrate ourselves to pay our most devout thanks and adoration to the sovereign Majesty of heaven and earth, for preserving your sacred life and person, so frequently exposed to the greatest hazards, and as often delivered, and you miraculously prospered with glory and victory, in defence of the rights and honour of your majesty's august brother, and of these kingdoms; and that, by his merciful goodness, the raging of the sea, and the madness of unreasonable men have been stilled and calmed, and your majesty, as the *darling of heaven*, peaceably seated on the throne of your royal ancestors, whose long, illustrious and unparalleled line is the greatest glory of this your ancient kingdom. We pay our most humble gratitude to your majesty for the repeated assurances of your royal protection to our national church and religion, as the laws have established them. — We magnify the divine mercy in blessing your majesty with a son, and us with a prince, whom we pray heaven may bless and preserve to sway your royal sceptres after you; and that he may inherit, with your dominions, the illustrious and *heroick* virtues of his august and most serene parents. We are amazed to hear of the danger of an invasion from *Holland*, which excites our prayers for an universal repentance from all orders of men, that God may yet spare his people, preserve your royal person, and prevent the effusion of christian blood, and to give such success to your majesty's arms, that all, who invade your majesty's just and undoubted rights, — may be disappointed and clothed with shame; so that on your royal head the crown may still flourish. They conclude with professions of unshaken loyalty, and with wishing the king the hearts of his subjects, and the necks of his enemies; and they received a proper answer, which needs not be inserted.

A pro-
clamation.

In consequence of a letter from the king, dated November 5. the council issued a proclamation against spreading of false news, with a design to prevent the spreading of the prince's declarations; but it had now but little weight, the people being the more fond to see these excellent papers.

The

The prince, in his declaration for Scotland, among 1688. other things, says,—— ‘ The lamentable effects of
‘ an *arbitrary* power, and of evil counsels, are so ma- The
‘ nifest, in the deplorable state of the kingdom of Scot- prince of
‘ land, that both our reason and conscience do prompt Orange’s
‘ us to an abhorrence of them. For when we consider declaration
‘ the sad condition that nation, though always affec- for Scot-
‘ tionate to the royal family, and governed, for many land.
‘ ages, by laws made by the authority of their kings
‘ and of the estates of parliament, and by common cu-
‘ stoms, is reduced to, by endeavours—— to change
‘ the constitution of the monarchy regulated by laws,
‘ into a despotick or *arbitrary* power, which doth evi-
‘ dently appear, not only by the actings of evil coun-
‘ sellors in power, but by—— publick declarations,
‘ bearing that the king is an *absolute* monarch, to whom
‘ obedience ought to be given in all things *without*
‘ *reserve*, thereby to make way to introduce what re-
‘ ligion they please.—— Whilst we consider these things,
‘ as we cannot but be touched with a tender sense of
‘ these miseries, so the giving such a remedy to them,
‘ as may—— answer the expectation of all good men
‘ and true *protestants*, is the great thing which we pro-
‘ pose to ourselves in this undertaking.——
‘ It is well known that the laws, privileges and
‘ rights of the kingdom have been overturned;——
‘ and—— what have been the arbitrary procedures of
‘ an encroaching PRIVY-COUNCIL; for—— these evil
‘ counsellors have ordered or suffered young noblemen
‘ to be taken from their relations, and to be sent a-
‘ broad to be instructed in *jesuits* colleges, and have
‘ likewise caused schools to be erected under the con-
‘ duct of *popish* priests, and that in the *capital* city of
‘ the kingdom.
‘ In an open contempt also of the known laws of
‘ the kingdom, the *papists* are put into places of *highest*
‘ trust, both civil and military, and entrusted with all
‘ the forts and magazines. The rights and privileges
‘ of royal burghs, the third estate of parliament, hav-
‘ ing as many deputies in it as all the shires of the
‘ kingdom, are taken away, and they hindered in the
‘ free election of their magistrates,—— to the mani-
‘ fest violation of their charters established by law
‘ and immemorial possession; and all this done by mere
‘ arbitrary

1688. *arbitrary power, without any citation, trial, or sentence.*

And whereas no nation can subsist without the administration of good and impartial justice, — yet those evil counsellors have subjected these to an absolute and despotick power, having turned out judges, who, by law, ought to continue during life, or their good behaviour, — and put others in their place — without any regard to their abilities. —

By the influence of the same evil counsellors hath a most exorbitant power been exercised, in imposing bonds and oaths, — in permitting free quarters to the soldiers, — in imprisoning gentlemen without any so much as alledged reason, forcing many to accuse and witness against themselves, imposing arbitrary fines, frightening and harrassing many parts of the country with intercommuning and justice-airs, making some incur forfeiture of life and fortune for the most general and harmless converse, even with their nearest relations outlawed, — empowering officers and soldiers to act upon the subjects — the greatest barbarities, in destroying them, by hanging, shooting and drowning them, without any form of law, or respect to age and sex, not giving some of them time to pray to God for mercy; and this for no other reason, but because they would not answer or satisfy them in such questions as they proposed to them, without any warrant of law, and against the common interest of mankind, which frees all men from being obliged to discover their secret thoughts; besides a great many other violences and oppressions to which that poor nation hath been exposed, without any hope of having an end put to them, or to have relief from them.

* Circuit courts.

The rest of his highness's declaration, which is no mean confirmation of the preceeding part of this history, relates to their design of abolishing the penal laws, and then to take away the toleration to dissenters, to the imposture of the pretender, and his highness's intention to redress all their grievances; and therefore it is no wonder though it had a great influence on the most part of the nobility, gentry and common people in Scotland,

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Chap. 1

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who very soon heartily declared themselves for the 1688. prince.

After this there is very little concerning the proceedings in of the managers in Scotland. The body of the nation hated them, and the surprising progress of the prince in England threw them into such a consternation, that they began to think how to provide, in the best manner, for their own safety. In several places the prince of Orange's DECLARATION was publicly proclaimed, as at Glasgow, Irvine and Ayr, and most other burghs. The reverend Mr. Living, in his preface to Mr. Shields's tract on church-communion, says, 'that the western people encouraged this proclamation at Glasgow before it was published in any other place in the kingdom, and that these people prayed publicly for the success of his enterprize, even before he landed in England.' On the last of November the earl of Lowdown, and several other young gentlemen, at that time students in the university of Glasgow, burnt the pope's effigy, together with the effigies of the archbishops of St. Andrews and Glasgow, without any opposition.

In the beginning of December the mob shewed a keenness of resentment against popery at Edinburgh. When a popish meeting in the Canongate was dismissing, some apprentices and others affronted them; information being given against them on Monday, some soldiers were ordered to apprehend them, and accordingly two servants of the bakers, with a woman, were taken up, and cruelly whipt from the tolbooth to the Abbey, then remitted to prison, and afterwards banished.

While the soldiers apprehended the last mentioned person, a struggle was made by the apprentices, and one Alexander Keith, a fencing-master, happened to cry out to the young men, Lads, have you no swords? Next night he was taken out of bed, and, for these or the like words, was, a very few days after, hanged at the cross. This, and some other things, exasperated the people in such a manner, that, to prevent risings, guards were kept in twenty or thirty places of the town: And, as there were no regular forces, but an independent company under captain Wallace at the Abbey, the reports of massacres and the like were spread, and the people greatly alarmed.

Vol. II. K k k On

1688. On *Sabbath, December* the 9th, some idle persons, after walking in the park and *St. Anthony's* gardens, came to the *Abbey* to pass that way as the nearest road, but found all the avenues shut, and cannon placed at every gate, and were charged by the centinels not to come near. This, with the report that the court was full of armed men, increased the jealousies of the populace, and the fears of the more inconsiderate. In the evening some young men got together and began to *buzza*; upon which the students and apprentices gathered at the college. The magistrates ordered all the gates of the city to be shut, and the keys to be delivered to provost *Prince*. The youths surrounded his house, and threatened to burn it if he refused the keys. From thence they marched to the *cross*, broke open the doors, and proclaimed an offer of 400 *L. sterling* to any who should bring *Perth* or *Melford* dead or alive.

Several
killed.

Next day, in the forenoon, the magistrates issued a proclamation against tumults. It was no sooner read than the mob tore it in pieces. The chancellor and his family, seeing how matters were like to go, thought proper to retire. Matters continued quiet till towards the evening, when the mob gathered at the *Cowgate*, and marched down to the *Netherbow*; and, finding the *Canongate*-guard friendly, they proceeded, and at the *Canongate*-cross took down the earl of *Perth's* picture, and carried it with them to the *Abbey*. Captain *Wallace* advanced with some soldiers. This made them halt: However, they sent to demand access to the court; and, upon his refusing, beat their drum, and, with a cry, run in upon him. He ordered his men to fire, by which some were killed, and several wounded. The apprentices, and the rest, after sustaining his fire, rushed in upon him, killed two of the soldiers, and forced the rest to flee to the *Abbey*; the gates of which being presently shut, they could get no farther at that time.

The mob,
assisted by
the train-
ed bands,

Upon this they retired a little, and sent a detachment to take care of the dead and wounded, and to require farther assistance. This party carried with them some of the arms and hands of the dead and wounded, and shewed them to some gentlemen then at a vintner's in the city, who immediately applied to the magistrates for help, but were refused. This so exasperated

rated these commissioners from the apprentices, that they threatened to burn the town. At last, by the interest of the said gentlemen, a quorum of the council ordered the magistrates to raise the trained bands, and sent two heralds with them to require captain Wallace to surrender, and to use force if he should refuse.

The captain was summoned to surrender the *Abbey* ^{became} in the COUNCIL's name; but, not thinking proper to ^{masters of} yield, the town-guard and trained-bands, commanded ^{the Abbey,} by captains MacGill and Graham, attacked him; and, after some firing on both sides, captain Graham broke in by a back-passage, which being observed by those in the *Abbey*, they fled, and thirty six were taken prisoners.

The youths, observing this, rushed in and killed ^{killed 14} all the soldiers they met with, to the number of about ^{soldiers,} fourteen. Then they rifled the chapel and schools, ^{and rifled} brought the timber work, library, and whatever they ^{the cha-} could lay their hands on, and burnt them in the court. ^{pel, &c.} In like manner they served the images, after carrying them in procession through the streets. They razed the new work in the church, turned up the marble pavement, rifled the chancellor's apartments, and committed every thing to the flames. Next day, for there was no power to restrain them, they went through all the houses of *papists* they could hear of, and required their books, beads, crosses and images, which they solemnly burnt in the streets. Next day a mob of *common thieves* got up and plundered several houses, but that was soon over.

On the 14th of *December* the council met, and made ^{Last acts} an act, ordering the sheriffs and other magistrates to ^{of the} search the houses of *papists* within their jurisdictions, ^{council.} and secure all arms and ammunition they should find there; recommending to them to protect their persons and houses from publick tumults and private insults. On the 24th they made their *last* act, wherein they required all *protestant* subjects to put themselves in a posture of defence, for securing their religion, lives, liberties and properties, and all heritors to repair to the head burghs of their respective shires and stewartries, to be rendezvoused under proper persons mentioned in the act: And now the reader cannot but observe a great alteration. The council had been harrassing and persecuting

1688. securing the subjects for 28 years past for *that very thing* which now they call them to : But the truth is, the managers had now lost their *power*; they had no army to support them, and, to use the words of a noted enemy to the *revolution*, (the earl of *Balcarras*) they were forced to overlook what they had not force to suppress; for, during the whole administration of the party, things were carried on by force.

Tumults

in the

west, p.

304, 305.

The people in the western counties ran immediately to arms. 'They thought (says bishop Burnet) that the time has now come, not only to procure themselves ease and liberty, but to revenge themselves upon others. They generally broke in upon the *episcopal* clergy with great insolence and much cruelty. They carried them about the parishes in mock procession, tore their gowns, and drove them from their churches and houses; nor did they treat those of them who did appear zealously against *popery* with any distinction.' These mobbing doings began on *Christmass* day 1688. and continued for several weeks; and it is certain the *prelatical* clergy suffered not a little. However, they have aggravated the matter beyond all the bounds of truth and modesty, by representing the outrages of those western tumults as such, that even the *French dragooning* could not equal them: But the many lies and falsehoods they published upon this point have been sufficiently exposed by the reverend doctor *Rule*, and others.

Remarks.

I shall not pretend to vindicate what was done by mobs and tumults; but then I cannot help offering these following things to the consideration of the reader. 1. The people who did these things were under the highest provocations, considering the sufferings they had endured. How many of them had lost fathers, mothers, children, husbands and wives, during the period of the late tyrannical administration? 2. Those ministers, or *curates*, as they were called, who now felt a little of their resentment, had not only been intruded on the people without their consent, but were the chief instruments of the most horrid persecutions and barbarities that people had endured: And, as *oppression makes a wise man mad*, was it any wonder though it made a provoked mob rush into some practices that are not to be justified in any civilized christian nation? It is rather surprising that they did not carry their resentments

sentments much higher. 3. These things were acted 1688. in an INTERREGNUM, when there was neither civil nor ecclesiastical government. One king had run away, another was not yet established, matters were all in confusion; and, the poor people being now able to shake off the intolerable yoke they had long groaned under, can we think it strange that they relieved themselves, when there was none else that either could or would? But suppose unjustifiable violences were committed by these tumults, what is that to the church? It was done by no act either of church or state. But, not to insist farther on this,

While these things were a-doing in Scotland, the king 1689. withdrew to France; the prince of Orange was put in possession of the government of England; the chancellor the earl of Perth had resigned; several Scots noblemen and gentlemen had gone to London to desire a free parliament. On the 7th of January 1689. his highness assembled such of the Scots lords and gentlemen as were there, and asked their advice what was to be done for the securing the protestant religion, and restoring their laws and liberties according to his declaration. The prince then retired, and they went to the council-chamber at Whitehall, and, having chose the duke of Hamilton their president, agreed upon an address to his highness. As they were going to break up at that time, the earl of Arran, son to the duke of Hamilton, proposed that they should move the prince of Orange to desire the king to return and call a free parliament; however it was unanimously rejected, and by none more than by his own father. Next day they met in the same place, and agreed upon an address, thanking his highness for his pious and generous undertaking, and desiring him to take upon him the administration of the government of Scotland, and summon a convention of estates to meet at Edinburgh on the 14th of March next; and that the electors and members of the said meeting be protestants, without any other exception or limitation whatsoever. The address was subscribed by above 30 lords and about 80 gentlemen. The duke of Hamilton presented it to the prince, who thanked them for it, and, on the 14th, signified his compliance with it, assuring them that they should always find him ready to concur in every thing that may be found necessary for securing the protestant religion, and restoring the laws

Prince of Orange accepts the administration of the government of Scotland. Tindal's continuation, p. 62, &c.

1689. laws and liberties of the nation. The earls of *Crawford* and *Lothian*, who came to town after the address was presented, waited on the prince, and desired that they might be allowed to subscribe it, which was granted.

In the mean time the lords and commons of *England*, having finished their debates as to the vacancy of the throne, declared the prince and princess of *Orange* king and queen of *England*, *France* and *Ireland*; and they were accordingly proclaimed on the 13th of *February*, to the universal joy of all true and hearty *protestants*.

National
covenant
renewed.

On the 3d of *March* the people of the western shires had a large meeting at *Lesmahago*, where they renewed the NATIONAL covenant, and, in a solemn manner, swore to stand to the defence of his highness the prince of *Orange*, his person and authority, when lawfully CHOSEN and established as king, or supreme magistrate over them; so that however they were enemies to tyranny, yet they were hearty friends to legal government.

Conventi-
on of e-
states.
Mem-
moirs of
N. Brit.
p. 29,
37.

On the 14th of *March* the convention of estates sat down at *Edinburgh*; and it is well known that the members of it were of the best families and fortunes in the kingdom, and generally of as great piety and virtue as could be reasonably expected after such a debauched period. In the author quoted in the margin the reader may see a list of them. There was a very small party among them that adhered to the interest of king *James*, as will presently appear. The bishop of *Edinburgh* said prayers, and, being of the *Tory* stamp, he prayed for the safety and restoration of king *James*. The house then proceeded to chuse a president; the *Tory* party were for the marquis of *Athole*, the protestant party for the duke of *Hamilton*, who carried it by 40 votes; so that the *Whigs* had a great majority before the bishops and malcontent peers left the house.

Duke of
Gordon
summon-
ed.

As the duke of *Gordon*, a *papist*, was in possession of the castle of *Edinburgh*, the convention gave a warrant to the earls of *Lothian* and *Tweeddale* to summon the duke to surrender. All the bishops and discontented lords concurred in this vote, as they did in another next day, that he should be proclaimed traitor, and the castle blocked up. And now, as the duke had king *JAMES*'s commission in his pocket, the reader is to judge, whether these passive obedience Gentlemen did not act inconsistent

consistent with their principles, and the interest of their ^{1689.}
abdicated master; however, this is and has always been the way of *Jacobites*. But I must hasten to a conclusion.

The meeting had a letter from king JAMES delivered ^{King}
to them two days after they met; and the earl of *Le-* ^{Willi-}
ven brought them another letter from king WILLIAM. ^{am's let-}
Then it was debated which should be read first; but ^{ter pre-}
king WILLIAM's carried it by a great majority; and, ^{ferred to}
before the other letter was read, it was enacted, That, ^{king}
notwithstanding any thing contained in it, they should ^{James's.}
proceed, till they had settled the *protestant* religion,
the government, laws and liberties of the kingdom.
This was signed by seven or eight of the *bishops*, and
all the *Jacobite* and *Tory* members, six or seven only
excepted. How inconsistent this was with the *Scots* bi-
shops letter to king JAMES, (p. 438.) must be left with
the reader. Not a member of the house moved for an
answer to king *James's* letter, so little did they regard
his threatnings, of which it was full; but, on the 23d,
they returned a dutiful answer to that of king WILLI-
AM, in which they congratulated his majesty for the
success of his undertakings, thanked him for taking
upon him the administration of publick affairs, and as-
sured him that they would come speedily to proper re-
solutions for establishing the government, laws and li-
berties, upon solid foundations, and agreeable to the
general good and inclinations of the people.

On the 26th of *Marth* a committee was named for ^{Commit-}
settling the government, consisting of nine lords, nine ^{tee for}
knights, and nine gentlemen. The *bishops* were exclud- ^{settling}
ed; for the house was so jealous of them, that they or- ^{the go-}
dered them not to insinuate in their prayers any thing ^{vern-}
against their acts and proceedings; for they had justly ^{ment.}
offended the generality of the state by their former
compliance with king JAMES's *arbitrary* government,
by their prayers at the beginning of the session, and o-
ther things that discovered their dissatisfaction to king
WILLIAM, and the settlement now to be made.

During the consultations of this committee, some *Scots* ^{country}
regiments, under the command of general *MacKay*, came ^{people}
from *England*; whereupon the convention, on the 28th ^{dismissed.}
of *March*, agreed that the earl of *Leven*, who was one
of those noblemen that came over with the prince of
Orange, should return their thanks to the people, who
came upon their own charges from the west to guard
the

1689. the convention, and to dismiss them, and suffer them to return to their respective habitations with their arms. It appears, from the act of the convention, that these people, after they came to *Edinburgh*, were under the command of the said lord *Leven*.

Petition of the people of the west to the convention.

As these people, however reproached by their enemies, as the wild, antimonarchical, enthusiastick, lunatick *Cameronians*, were among the first in *Scotland* who took up arms for the prince of *Orange*, so they were the first men in *Scotland* that addressed or petitioned the convention of estates to place the crown of *Scotland* on the head of their deliverer king *WILLIAM*; from which it appears, that, though they were enemies to tyranny and arbitrary power, yet they were not enemies to legal government, or the constitution of their country. The tenor of their petition is as follows.

To the meeting of the estates of the kingdom of Scotland, viz. the noblemen, barons and burgessees, lawfully called and chosen, now assembled at Edinburgh for establishing the government, restoring and securing the true religion, laws and liberties of the said kingdom,

The humble petition of the poor people who have suffered grievous persecution for their religion, and for their revolt from and disowning the authority of king JAMES VII. pleading for devolving the government upon the prince of Orange, now king of England,

Sheweth, &c.

Here they rehearse the sufferings of *Scotland* under the tyranny of king *JAMES VII.* and proceed thus:

WE prostrate ourselves, yet under the sorrowing smart of our still bleeding wounds, at your honours feet, who have a call, a capacity, and, we hope, a heart to heal us; and we offer this our petition enforced, and conjuring your honours to hearken to us.

By all the formerly felt, presently seen, and, for the future, feared effects and efforts of popery and tyranny, by the cry of the blood of our murdered brethren, by the sufferings of the banished free-born subjects

1689.

jects of this realm now groaning in servitude, being sold into slavery in the *English* plantations of *America*; by the miseries that many thousands forfeited, disinherited, harrassed and wasted houses have been reduced to; by all the sufferings of a faithful people, for adhering to the ancient *covenanted* establishment of religion and liberty; and by all the arguments of justice, necessity and mercy that ever could join together, to begin communication among men of wisdom, piety and virtue.

Humbly beseeching, requesting and craving of your honours, NOW, when God hath given you this opportunity to act for his glory, the good of the church, of the nation, your own honour and the happiness of posterity; NOW, when this kingdom, the neighbouring, and all the nations of *Europe* have their eyes upon you, expecting you will acquit yourselves like the representatives of a free nation, in redeeming it from slavery, otherways inevitable, following the example of your renowned ancestors, and the pattern of the present convention and parliament in *England*: THAT you will proceed, without any delay, to declare the WICKED government dissolved, the crown and throne vacant, and JAMES VII. whom we never have owned, and resolved, in conjunction with many thousands of our countrymen, never again to own, to have really forfeited, and rightly to be deprived of all right and title he ever had, or could ever pretend to have thereto, and to provide that it may never be in the power of any succeeding ruler, to aspire unto, or arise to such a capacity of tyrannizing. Moreover, since *anarchy* and *tyranny* are equally to be detested, and the nation cannot subsist without a righteous governor, as also that none can have a nearer right, or fitter qualifications, than his illustrious highness the prince of *Orange*, whom the Most High has singularly owned, and honoured to be our deliverer from *popery* and *slavery*; we cry therefore to your honours, and crave that king WILLIAM, now proclaimed king of *England*, may be CHOSEN and proclaimed also king of *Scotland*; and that the legal authority may be devolved upon him, with such necessary provisions and limitations as may give just and legal securities for the peace and purity of religion, the stability of our laws, privileges of parliament, and liberties of the people,

1689. ' civil and ecclesiastick, and may thereby make our sub-
 jection both a clear duty and a comfortable happi-
 ness.' [*Here they enlarge upon the king's being obliged to profess and preserve the pure religion and the work of reformation, and conclude thus:*] ' Upon such terms as these we render our allegiance to king WIL-
 LIAM, and hope to give more pregnant proofs of our loyalty to his majesty, in adverse, as well as in prosperous providences, than they have done, or can do, who profess *implicit* subjection to *absolute* authority, so long only as providence preserves its grandeur.'

Remarks. Here the reader may see how willing these people were to submit to legal government, in opposition to tyranny and arbitrary power; and though they were accused of going heights and lengths, in disowning the tyranny of the royal brothers, yet now the whole nation concur with them: Nay, so hearty were these people, that, in one day, without the beat of drum, or expence of levy-money, they raised the earl of Angus's regiment of 800 men, and offered to complete two or three regiments more, if his majesty should have occasion for them. The reverend Mr. Lining says, that they mustered in one day 1140 men; and it is well known what service this regiment did both in *Scotland* and in *Flanders*; but I now return to the convention.

The throne declared vacant. Mem. of N. Brit. The committee above-mentioned having come to a resolution among themselves, after a few days sitting, reported it to the house. After the debate was over, the question was put, whether the house agreed with the committee. It was carried in the affirmative by a great majority, there being only eight or nine negative voices, of whom seven were *bishops*, and 13 or 14 *non liquets*, of whom two lords, one knight of the shire, and the rest burgesses; so that the house came to the following resolution:

' The estates of the kingdom of *Scotland* find and declare, that king JAMES VII. being a professed *papist*, did assume the royal power, and acted as king, without ever taking the oath required by law, and hath, by the advice of wicked and evil counsellors, invaded the fundamental constitutions of this kingdom, and altered it from a legal limited monarchy, to an absolute and despotick power, and hath exercised the same to the subversion of the *protestant* religion, and the viola-

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'tion of the laws and liberties of the nation, inverting 1689.
'all the ends of government, whereby he hath FOR-
'FAULTED the crown, and the throne is become VA-
'CANT.' The reasons for declaring the throne vacant,
containing 15 articles, were read and debated article by
article, and were explained by Sir John Dalrymple and
Sir James Montgomery, with so much learning, that they
gave almost general satisfaction, none speaking against
them but the archbishop of Glasgow, and Mr. James O-
gilvie afterwards earl of Findlater.

The convention having thus far proceeded, immedi- R. Will-
ately ordered a bill to be brought in, 'to settle the crown liam and
'on king WILLIAM and queen MARY, and to con- Q. Mary
'sider the terms of the destination of the heirs of the proclaimed
'crown, and to prepare an instrument of government at Edin-
'for securing the people from their grievances.' When burgh.
this vote was past, and the bill ordered to be drawn, *Ibid.*
the bishop of Dundee offered to say prayers. Upon this
a member moved, that, king JAMES being no more their
king, he must pray for him at his peril. The cautious
prelate thought proper to say only the Lord's prayer.
Their majesties were accordingly proclaimed king and
queen of Scotland on the 11th of April, the same day
they were crowned in England.

The instrument of government, or claim of right, the *Claim of*
reader may see among the acts of that convention, and *right.*
in my author's appendix, No. 154. in which, among
other things, it is declared, 'That by the laws of this
'kingdom no papist can be king or queen of this realm,
'nor bear any office whatsoever therein; nor can any
'protestant successor exercise the regal power until he
'or she swear the coronation oath.——That prelacy,
'and the superiority of any office in the church above
'presbyters, is, and hath been, a great and insupportable
'grievance and trouble to this nation, and contrary to
'the inclinations of the generality of the people, ever
'since the reformation, they having reformed from popery
'by presbyters, and therefore ought to be abolished.'——

The act of settlement being thus passed, the conven- *Conven-*
tion ordered a dutiful letter to be drawn up, and sent *on turned*
with it, in which a clause was put, at the motion of the *into a par-*
earl of Crawford, of an humble request to the king to *liament.*
turn that meeting of the estates into a parliament. In *Tindal's*
consequence of this the duke of Hamilton acquainted *continua-*
the convention, that his majesty had been pleased to ap-
point

1689. point him his commissioner, and that he was empowered to give his consent to an act for turning the meeting of the estates into a parliament, and that the earl of Crawford was to preside. This act was accordingly passed the same day, and the parliament was prorogued to the 17th.

Act abol-
ishing
prelacy.

The parliament sat down on the 17th, and in July passed an act abolishing *prelacy*, which is as follows:—

Whereas the estates of this kingdom, in their claim of right of the 11th of April last, declared that *prelacy, &c.* Our sovereign lord and lady, the king and queen's majesties, do hereby abolish *prelacy*, and all superiority of any office in the church above *presbyters* in this kingdom; and hereby rescind, cass and annul the 1st act of the 2d session of the 1st parliament of king Charles II. and the 2d act of the 3d session of the 2d parliament of king Charles II. and the 4th act of the 3d parliament of king Charles II. and all other acts, statutes and constitutions, in so far only as they are inconsistent with this act, and do establish *prelacy*, or the superiority of church-officers above *presbyters*. And the king and queen's majesties do declare, that they, with the advice and consent of the estates of parliament, will settle, by law, that church-government in this kingdom which is most agreeable to the inclinations of the people. And thus the great grievance of the nation was removed.

Acts of
the next
session.

The next session of parliament, to which the earl of Melvil was his majesty's high commissioner, carried this farther: For, by their first act, they rescinded act 1. parl. 2. Charles II. viz. the act asserting his majesty's supremacy, as inconsistent with *presbyterian* government, and what ought to be abrogated; By their 2d act they restored *presbyterian* ministers thrust from their charges since 1661. By their 5th act they ratified the *Confession of faith*, and settled *presbyterian* government. By their 23d act they abolished *patronages*. By their 27th and 28th they repealed the laws for conformity, and several other unjust acts during the two last reigns: And, in one word, they reversed all the acts by which so many had been forfeited. And thus an end was put to a most cruel and bloody persecution, and the church of Scotland restored to the freedom

freedom of her government, by general assemblies, 1689: synods, presbyteries and church-sessions.

From the whole, it appears that all the true members of the church of *Scotland*, nay, and all true hearty *protestants*, have unspeakable reason to bless God for the remarkable interposition of his providence at this *revolution*. Must not the hand of God be owned in preserving a people even in the furnace, to be instrumental in bringing about such a glorious event? By this an end was put to persecution on the one hand, and slavery on the other; by this the religious and civil rights of the people were restored, nay, and the *protestant* succession established for transmitting these things to posterity. But then it is but too evident that due care was not then, nor has to this day been taken to improve those invaluable blessings then bestowed upon us. May a good and gracious God give all ranks and degrees of persons a sense of their departures from him, revive a work of reformation, and appear glorious in these islands.

F I N I S.

APPENDIX

APPENDIX

B. Y

THE PUBLISHER.

THE reverend Mr. *William Crookshank*, having, in his preface to the former edition of this history, signified that he would take it very kind in his friends, if they found any thing therein, either mistaken, or through inadvertancy misrepresented, to let him know it, that if ever he had an opportunity he might rectify the same; and the publisher of this edition, having, in the most publick manner, desired every one who had any profitable remarks to offer them; and promised, the facts being well attested, to make a faithful use thereof; it was therefore reasonably expected that the friends of the undertaking would have with all readines offered what occurred to them: But, notwithstanding of such invitation, little hath been done that way; so that if the publick suffer by that omission, neither the author nor publisher are to be blamed for it. However, to the praise of some, several profitable amendments were proposed, which, after being communicated to and examined by the author, are interspersed where they fall most natively in through the history; and, after the printing was almost finished, there was sent by a good friend to the publisher, an account of the affair of *Bothwell*, bearing to have been written by Mr. *Daniel Cargill*, whose praise as a christian, a minister, and a martyr, is well known in the churches, which contains several very suitable and religious reflexions not to be found in this; but, when compared with the first chapter of this volume, falls much short of it as to a particular relation of facts and circumstances, which is the principal design of any history; nor is it observable that there is any contradiction betwixt these relations, unless it be in two instances, which, though seemingly not material, shall be set down in that writer's own words, thus: 'Whereas Mr. *Crookshank*, p. 4. reckons the number of the soldiers killed at *Drumclog*, only above 20, the manuscript says, That the country-men, with the loss of but one man of their own, put all the other to flight, and kil-

led

‘ led 36 or 40 men, and many of their horses.’ And, instead of the relation which Mr. *Groosbank* gives of the attempt upon *Glasgow*, at the head of page 5th, the other complains of the countrymen for pursuing the soldiers so short way, ‘ else (says he) if they had pursued to *Glasgow* that night, being so resolute and owned of God, they had in all probability broken the whole 700 foot and four troops of horse at *Glasgow*; but they stopped by the way, to the other work of that day, being the Lord’s day, and next morning they, with some other of their denounced and intercommuned brethren who met with them at *Hamilton*, went to *Glasgow* resolute like lions, and entered the town at two places, where, though the forces had barricaded the four streets near the cross, and made all preparations for a warm reception; yet the dissenters came so near, and played so hot upon them, as many of the soldiers within the barricadoes were killed, and others were flying in beneath the stairs; but the country-men lying naked and open to some that fired out at windows, with other disadvantages, as the narrowness of the streets, whereby their horses were rendred useless, and the like, thought proper to retire with the loss of two men killed on the spot, and four or five wounded of which they died soon thereafter; yet such a panic were the king’s forces in, that they fled away next day to *Stirling*.’ — I shall follow the manuscript only in this farther, ‘ That, until there came in amongst the country-men a party of 2 or 300 men, with two ministers favourers of the indulgence, they were all commanders, ministers and people, of one heart and one way, so far as mortal men could be; that they had more than an ordinary spirit, resolute, succeeding in all things, and were a terror to their enemies on every hand; but, being stopped from confessing and acknowledging their own and their fathers sins, a duty for the not right performance whereof the children of *Israel* fled twice before the *Benjamites*, *Judges* xx. and, being more set upon pleasing men and to get their concurrence, than to be tender of our Lord’s interest, and to please him, who saveth by many or by few, 2 *Chron.* xiv. 11. as he pleaseth, according to the sincere, humble and ingenuous confession of their sins, and their crying unto and trusting in him for help, counsel and conduct, whose interest and glory

‘ry was concerned more than their lives; I say, for this
 ‘ their omission, and juggling with God, many of the
 ‘ more ingenuous and sincere left them, and the rest
 ‘ could not stand before their enemies, &c.’

Besides the above, there was afforded me by the reverend and worthy Mr. *James Ogilvie*, one of the ministers of *Aberdeen*, a relation of the case of Mr. *Angus MacBean*, mentioned page 161. of this volume, which, as it contains the sufferings of one who seems to have been both pious and learned, and his recantation of *episcopacy*, will, I doubt not, be acceptable to the reader; and the more so, that the same having, at Mr. *Ogilvie*’s desire, been given to the reverend Mr. *Donald Fraser* minister at *Kilearnan*, who is married to Mr. *MacBean*’s only grandchild, was compared with and amended by the records of the exercise, or presbytery and session of *Inverness*, whence the most of it is extracted and by him sent unto me.

‘ Among the many witnesses who gave testimony to the truth in the reigns of the two royal brothers, Mr. *Angus MacBean* minister of *Inverness* was not the least remarkable. — When a student at *Aberdeen*, he distinguished himself no less for his great regard to practical religion, than for his extraordinary parts and abilities.

The bishops having found their error in sending men of little learning and less religion to the south and west of *Scotland*, where the people were most disaffected to them, applied to the professors of divinity to name some of the greatest abilities to be sent to these parts: Accordingly professor *Menzies* singled out Mr. *MacBean* from among all his students to be sent to the town of *Ayr*, but he did not continue long there, having got a call to be minister of *Inverness*, where he was admitted, *December 29. 1683.* and proved a very pathetic and zealous preacher, and one of the most esteemed of that way. He usually once a-week lectured on a large portion of scripture, which was not the custom then.

But, notwithstanding, he was in the highest esteem among the prevailing party. The constancy shewn by the numerous sufferers for the cause of truth, and the cruelty used towards them, made such deep impressions on his mind, as could never afterwards be effaced. As the native consequence of the toleration granted by
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king *James*, the mass was openly set up in the castle of *Inverness*, against which Mr. *MacBean* preached publickly, and warned the people of the imminent danger the nation was then in: At which the priest was so incensed, that he sent *MacBean* a letter, challenging him to a publick dispute. This letter he received in a throng on the weekly market, where he usually walked with some constables to prevent common swearing; he went into a shop, and there wrote such an answer to the priest, as determined him to send him no more challenges. The report of this having spread, some officers of king *James's* army entred into a resolution to go to church next Lord's day, and to take him out of the pulpit in case he uttered ought against that way: He was informed of this late on *Saturday*, and was importuned by some of his friends to abstain from saying any thing that might exasperate them; but he preached next day on *Col. i. 18.* and proved that Christ was the sole head of the church, in opposition to the usurpations of both popery and erastianism: Whereupon the officers got all on foot to execute their design, which the good man did not observe, till turning about, (for they sat in a loft on the left side of the pulpit) he said, with an authority that put them out of countenance, For these things I am become the song of the drunkards; on which they all sat down, for it was when drinking that they had formed that wicked design.— From the popish controversy he was led to a serious inquiry into the merits of what was then the controversy; and, after serious wrestling with God, and earnest prayer for light and direction from him, in which he spent some nights in his garden, he at length determined to declare for the truth, whatever might be the consequence; and accordingly, in *June 1687.* he declined to sit in the presbytery, but continued to preach. In *August* the presbytery were informed, not only that he absented wilfully, but that he disowned the government of the church by archbishops, bishops, &c. and appointed a committee to converse with him, who having done so, they, at a subsequent diet, reported that Mr. *MacBean* declared plainly to them, that he had no freedom to meet with them in their judicatures any more; that it was over the belly of conviction that he entred into the ministry under bishops;

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that his convictions were returning with greater force upon his conscience, so that he could not overcome them; that he was convinced presbytery was the only government that God owned in these nations; that he was fully determined to make all the satisfaction he could to the presbyterians, to preach for them and in their favours; and that, tho' he should be dispensed with by bishop and presbytery from keeping their meetings, he could not promise, that, in his preaching, he would not give ground of misconstruction to those that owned prelacy. At the same time his colleague, Mr. *Gilbert Marshall*, farther reported, That Mr. *MacBean*, both in his publick lectures and sermons, did so reflect on the government of the church, as was like to make a great schism at *Inverness*; and therefore that he had caused cite him to that meeting to answer for his absence, and his reproachful doctrine that could not be endured. Mr. *MacBean* did not appear before them, nevertheless the magistrates prevailed with the presbytery to desist from proceeding against him then; but shortly thereafter the presbytery referred him to the synod of *Moray*, who appointed a committee to join with the presbytery of *Inverness* to deal with him.

In the mean time, *October 23. 1687.* Mr. *MacBean* went to church without his canonical habit, publickly renounced prelacy, declared himself a presbyterian, and, as he found not necessary freedom in the exercise of his charge, he solemnly demitted it. He preached his farewell sermon on *Job xxxiv. 31, 32.* the scriptures he advanced, and insisted on as warrants for his conduct, were, *Isaiah viii. 11—14. Jer. xv. 18—21. 2 Cor. vi. 17, 18.* and to prove that Christ was sole head of the church, *Eph. v. 23. Col. i. 18. 1 Pet. ii. 7.* Next Lord's day he went to *Ross*, and there, in Mr. *MacGiligen's* meeting-house, preached the truths which formerly he opposed, and some times thereafter he preached at *Inverness*, till he was, by order of council, called to *Edinburgh*.

On this surprising change a great opposition among the then prevailing party soon appeared against him, which was the less to be wondered at, as he embraced every opportunity of declaring for the cause of truth, which they were violent against; and therefore the exercise, or presbytery of *Inverness*, sent one of their number to inform the bishop of *Moray*, then at *Glasgow*,

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gow, of this whole affair: But the bishop dying at that time, the archbishop of *St. Andrews* took the affair under his cognizance, and procured an order from the council to bring Mr. *MacBean* to *Edinburgh*: In consequence of this order he was carried south in *January* 1688. in very tempestuous weather, and was called before the council, where he made a bold stand for the truths he then professed. One of the questions asked him was, Did he think the king's power was limited? To which he answered, He knew no power but the Almighty's unlimited.

Tho' the council could not find that he meddled with the state, yet, to please the bishops, he was imprisoned; and, upon the 27th *February* thereafter, the archbishop of *St. Andrews* convened him before him and the bishop of *Moray*, and five doctors and ministers at *Edinburgh*, where (in the virtue of his metropolitani-cal capacity) he deposed Mr. *MacBean* from the exercise of any part of his pastoral office, and deprived him of all benefit that might accrue to him thereby since the time of his wilful desertion; with certification, That, if he should transgress therein, the sentence of excommunication should pass against him, &c. He was there-upon remanded to prison; and, though the town of *Inverness* wrote earnestly, soliciting him to make some compliance, that they might be favoured with his return, he withstood their entreaties; and, by his answer, dated *July* 1688. he dissuades them from insisting for his return, as what he assured them would never happen; and condemns himself in the strongest manner for his adherence to prelacy, declaring, in the most express way, against it, as antisciptural, as well as tyrannical.—His confinement, and the fatigue of his journey, having given such a shock to his constitution, that his life was in danger, Sir *Robert Gordon* of *Gordonstoun*, and *Duncan Forbes* of *Culloden*, offered a bail-bond for 10,000 merks *Scots* to the earl of *Perth*, then chancellor, that they would present him any time he was called for, providing he was set at liberty; but the chancellor absolutely refused to set him at liberty, tho' he was in a very languishing condition in the tol-booth, where he remained till *Perth* run away, and that the *Edinburgh* mob set the sufferers at liberty.—After this Mr. *MacBean* continued in the suburbs of *Edinburgh*, till he joyfully finished his course in the month

month of *February* 1689. in the 33d year of his age, some days before the news came that the parliament of *England* had settled that crown on king *William*, who put an end to those bloody times and that tyrannical government. Mr. *MacBean* frequently compared himself in this particular to *Moses*, who, from mount *Pifgath*, saw the land of promise, but, for his sinful compliance, as he always called it, would not be allowed to enter it; for, some time before his death, he had a firm belief of the amazing deliverance which this church and nation soon met with, and left this mortal life rejoicing in hope of the glory of God.

The last piece of information I shall trouble the reader with, and which is every way as shocking as any that hath preceeded, I have from *James Paton* merchant in *Kilmarnock*, a man whose character stands in no need of a testimony among those who know him. The story happened in his father's house, who was a sufferer in that period, and particularly in the instance I am now to relate, so that my informer had the best access to know the truth of it, and yet, so suspicious was he of his own memory, that he would not have me depend upon his veracity, until he had farther examined the matter, and collated particulars with some judicious persons yet living, who confirmed the truth of his relation from their own proper knowledge.

In the beginning of *May* 1685. (a time when the persecutors, being more than ordinarily enraged with the news of *Argyll's* intended invasion, were every where making havock of those who conformed not to the then course of defection) twelve men, being convened in the night time in a meeting for prayer and godly conference, as was their usual once a week, or the like, in the house of *James Paton* wright, and tenant in *Little-Blackwood* in the parish of *Kilmarnock*, were surpris'd by a party under the command of *Patrick Inglis*, son to one captain *Inglis*, who then kept garrison at *Newmills*, within a few miles distance.

During the interval of duty, *James Paton* standing behind his brethren who were warming about a hearth fire, and hearing some noise, said to the rest, Friends, I wish we be not in a snare; whereupon they guessing his meaning, started all up, and were scarce got to the trance, or passage betwixt the two doors of the house,

when

when the enemy broke in furiously at both doors upon them, and *James Whyt*, the only person in the house who had a gun, offering to fire, but missing, some of the soldiers perceiving him by the light of his own priming, fired at, and killed him upon the spot. *James Paton* got past them into the byre, other two, endeavouring to make their escape, were beat back; but *John Gemble* in *Blackbyre*, one of these, got in upon the centinel, who, finding himself worsted in the encounter, thought to have stabbed him with his bayonet; but *Gemble*, proving too hard for the centinel, wrested it from him, stabbed him with it, and run off. Some of the party hearing the struggle, came to the wounded man's relief; but being too late, they threw him into a bed above three young children, and went in quest of the other nine, who finding it impossible to make their escape by the door, retired through the kitchen to the innermost apartment in the house, called the spence, and were breaking through the roof; but by the time two of them got out, the rest were stopped from without: Whereupon *Janet Wylie*, the wife of *James Paton*, having some acquaintance of *Inglis*, called him by his name, intreating that he would, for God's sake, give them quarters. He cursed her, and asked who for a b——h was she who knew him. And *Janet* answering, that she was the daughter of *Thomas Wylie* of *Darnholm*, where he with some others had been quartered for a whole summer some years before that, he told her, that, upon her request, he would give them quarters, on condition they would come all out of the spence into the kitchen one by one upon their bare knees, which, as they stood not upon an equal footing, they consented to. The first who came out was an old man, one *James Finlay* in *Dykes*, whom they tied with yarn which they found in the house, and set him down, and one of the soldiers coming in at the time with his bayonet screwed upon his firelock, stabbed him below the belly, till the point came out at the thick of his thigh behind; at which he cried he was murdered. *Inglis* challenged the fellow with a curse, how came he to stab a man after quarters given; and this was all the amends the poor man got. The rest came out, and were all in like manner tyed. After which the party got candle and searched the house, and finding *James Paton* in the byre, they tyed and set him with the rest; and, when they could find no more persons,

sons, they fell about spulying the house, and took every thing which would either carry or drive, among which was a big ax for felling timber, with which they cut off the head of *James Whyt*, whom they had shot at their first onset, and next day played at the football with it at *New-mills*, whither they carried their booty and the eight men, whom they imprisoned in the porters lodge, and next day captain *Inglis* ordered them all to be brought out and shot, but, while they were sitting tyed, with napkins over their faces, and a party ready with charged firelocks to empty them into their hearts, a person of better sense stepping up to the captain, suggested to him, that though he was safe enough at the hands of the present government to do what he was about, yet, if there came any change he might be called in question for executing them, after quarters given, without any shadow of law; adding, that if he sent an express to the privy-council, he needed be in no difficulty to get an order for executing them; whereupon the captain remanded them to prison, and quickly sent off his son for the order proposed, who succeeded to his wish. Meantime the friends of the prisoners resolved upon attempting their liberation; and such was the kindness of providence towards these sufferers, that their friends came to their relief the night before the time concerted, under impressions, though they could give no satisfying reason for it then, that it was a time of great extremity to the prisoners, which truly proved the case: For, that very night wherein they were released, *Patrick Inglis* returned with an order for executing them next day, which was prevented by this merciful interposition of providence.

How this rescue was executed, my informer doth not distinctly say, nor what number the garrison consisted of, only the event shewed that it was conducted both with caution and courage, for they liberated every one of the prisoners in opposition both to the garrison and townsmen, and quickly went off. Possibly this might have been a work of more difficulty, but the attack having been made in the dark night, while the garrison were in no expectation of any such thing, captain *Inglis* had the courage to creep in below a bed until the danger past, and his son *Patrick*, who returned with the dead warrant in the very time the attack was made, thought it safest, upon hearing the noise, to conceal himself behind

a dyke at the entry to the town, until it was over. So soon as the prisoners, with their friends, were gone off, the bailie of *Newmills*, for eviting the suspicion of their accession to that rescue, raised the inhabitants by the fire-bell and tuck of drum, and came to the gate of the castle (for so the place where the garrison lay is called) and required captain *Inglis* to pursue the prisoners, or allow arms to the townsmen that they might do it; but this bold commander was not yet so far recovered from his fright as to listen to these demands; however, against day-break, he sent out his men, and made all the search possible, both in town and country, where they killed two innocent men; but by that time both prisoners and their rescuers had dispersed, and so provided for their safety, as none of them were ever found out.

CONCLUSION.

THIS history might be finished, with reducing, under different heads, the several kinds and degrees of defection therein narrated; the particular grounds upon which our fathers suffered; the several branches of their testimony; the use we ought to make of such a relation, and the like: But, as the intelligent reader will be more capable to do this for himself than I can, it shall only be observed at present, that, if the blood of one righteous *Abel* procured a revenge upon the murderer, What a violent attack upon heaven must the cry of the blood of the innocent *multitudes*, that hath been shed in *Scotland* for the cause of truth, have, when all, with one assent, loudly demanding, ——— *How long O LORD, holy and true, dost thou not judge and avenge our blood on them that dwell on the earth?* And this being the case, it becomes infinitely more our duty, than it was *Moses's*, with the eye of faith fixed upon the BLOOD which *cleanseth from all sin*, to put up the request recorded, *Deut. xxi. 8. Be merciful, O Lord, unto thy people Israel — and lay not innocent blood unto thy people of Israel's charge.*

F I N I S.

A GLOSSARY, or explication of *Scoticisms* used through the foregoing history.

- A**dminiculate. *Supported.*
Advocate (his Majesty's) *The same* as attorney-general.
Albeit. *Although.*
Allenarly. *Only, or, wholly and intirely.*
Anent. *Concerning, about.*
Assize. *Jury.*
Ay. *Until.*
Bailies. *Aldermen.*
Cautious. *Surety.*
Cod and bobbins. *Lace-cushion.*
Conform. *According.*
Contravene. *Transgress.*
Cottars. *Cottagers.*
Criminal court. *For capital cases, or matters of life and death.*
Dared. *Threatned.*
Deborded. *Departed.*
Defalcations. *Deductions.*
Deigned. *Condescended.*
Demit simpliciter. *Absolutely to resign.*
Depone. *Swear.*
Diets. *Times of meeting.*
Dittay. *Indictment.*
Fanaticks. *A name given in derision to the presbyterians.*
Fenfible men. *Men able to bear arms.*
Forasmekle. *Forasmuch.*
Gear. *Goods.*
Goes cleanliest. *Goes with the clearest conscience.*
Goodman. *He that rents the farm.*
Horning. *A kind of outlawry.*
Ilk. *Each.*
Indictment was found relevant. *Was sustained.*
Interlocutor. *A judgment, so called quia judex interim loquitur.*
Intromit with. *Seize upon.*
Justice airs. *Circuit-courts.*
Justiciary power. *A power of judging in matters of life and death.*
Kend. *Known.*
Kything. *Shewing.*
Libel. *Indictment.*
Liferenters. *Widows who have the rents of their husbands lands.*
Lug. *Ear.*
Macer. *Usher, or, cryer.*
Maiden. *The instrument for beheading.*
Messenger. *Bailiff.*
Mosses. *Marshy grounds.*
Moveables. *Goods and chattles.*
Netherbow. *Chief gate of the city of Edinburgh.*
Obtested. *Intreated.*
Opponed. *Brought against.*
Overtures. *Proposals.*
Pasch. *Easter.*
Pannel. *Prisoner at the bar.*
Pannel me. *Arraign me.*
Perquire. *Exactly.*
Port. *Gate.*
Portioner. *Parcener, or, coparcener.*
Purge himself of malice. *According to the law of Scotland, in criminal cases, before a witness be admitted, he must swear that he has no malice against the defendant.*
Regality. *A precinct with some royal prerogatives.*
Relevant. *Sufficient.*
Reprival. *Reprive.*
Refet. *Receive, or, harbour.*
Rock. *Distaff.*
Rue. *Repent.*
Side gowns. *Long gowns.*
Slighting. *Dismantling.*
Strong waters. *Spirituuous liquors.*
Tack. *Lease.*
Thir. *Those.*
Timeously. *In due time.*
Transported. *Translated.*
Trysted. *Appointed.*
Vaik. *Become vacant.*
Vaking. *Vacant.*
Wadsetters. *Mortgagees.*
Wave of. *Slight view of.*
West port. *West gate.*
Wynd. *Lane.*
Yule. *Christmas.*



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Robert Young of Lockhartgreen, smith in Newbigging

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ERRATA.

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